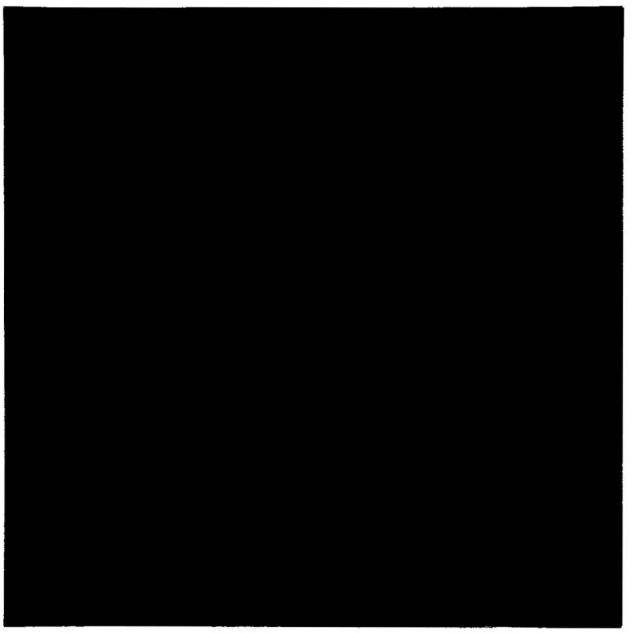
LYNDON B. JOHNSON
SCHOOL OF PUBLIC AFFAIRS

POLICY RESEARCH PROJECT REPORT

Number 3

AUSTIN AND ITS FUTURE:
THE CHALLENGE OF GROWTH

THE UNIVERSITY OF TEXAS AT AUSTIN



LYNDON B. JOHNSON SCHOOL OF PUBLIC AFFAIRS

POLICY RESEARCH PROJECT REPORT

Number 3

AUSTIN AND ITS FUTURE:

THE CHALLENGE OF GROWTH

A Report by
The Land Use Policy Research Project
Lyndon B. Johnson School of Public Affairs
The University of Texas at Austin
1973

Library of Congress Card Number: 73-620059

FOREWORD

The Lyndon B. Johnson School of Public Affairs has established interdisciplinary research on policy problems as the core of its educational program. A major part of this program is the Policy Research Project in the course of which three faculty members, each from a different profession or discipline, and about fifteen graduate students with diverse backgrounds research a policy issue of concern to an agency of government. This "client orientation" brings the students face to face with administrators, legislators, and other officials active in the policy process, and demonstrates that research in a policy environment demands special talents. It also illuminates the difficulties of using research findings to bring about change where political realities must be taken into account.

This report on land use problems facing the growing City of Austin is the product of one of the School's Policy Research Projects. In the course of the year's research, the students and faculty interacted continuously with city and state officials concerned with land use planning in general and the future of Austin in particular. The report contains data, analysis, and interpretation designed to inform those with responsibility for land use policy and implementation.

The School's function is not that of a policy advocate. Its intention is both to develop men and women with the capacity to perform effectively in the public service and to produce research that will enlighten and inform those already engaged in the policy process. The project which resulted in this report has helped to accomplish the former; it is our hope and expectation that the report itself will contribute to the latter.

Alexander L. Clark
Acting Dean

PREFACE

This report summarizes the work of the Land Use Policy Research Project conducted at the Lyndon B. Johnson School of Public Affairs of The University of Texas at Austin during the academic year 1971-72.

The project began with a meeting in the summer of 1971 between LBJ School faculty and Austin city officials.* Economist Jared Hazleton, urban geographer Kingsley Haynes, demographer Dudley L. Poston, and Dean John Gronouski met with Mayor Roy Butler, City Manager Lynn Andrews, and Director of Planning Richard Lillie to enlist the city's cooperation in the proposed research efforts. In the course of the year, the students were addressed by Mr. Lillie; Dr. Bryghte D. Godbold, Staff Director of Goals for Dallas; Mr. Don Stence, staff member of the Capital Area Planning Council; Mr. Corwin Johnson, Professor of Law, The University of Texas at Austin; and Mr. Joe Moseley of the Division of Planning Coordination of the Office of the Governor. A workshop on the legal aspects of urban land use planning called upon Mr. Don Butler, City Attorney of Austin; Mr. Robert Bruce Evans, City Attorney of Abilene; and Mr. Eugene Riley Fletcher, General Counsel for the Texas Municipal League. Working sessions took place with Mr. Joe Harris, Natural Resources Coordinator, Division of Planning Coordination of the Office of the Governor, and with representatives of the City Council, including the Mayor.

The researchers visited representative councils of governments throughout the state and conducted personal interviews with 100 civic, business, and other leaders. A questionnaire was mailed to 500 Austin households. In April 1972, the project's findings were presented to a working session of the City Council, and in May of the same year an all-day Land Use Planning Conference at the LBJ School was attended by 200 participants including local government officials, environmentalists, real estate developers, bankers, educators, and businessmen. Among them were State Land Commissioner Bob Armstrong; Mrs. Exalton Delco, Austin School Board member; Dan Love, Mayor Pro Tempore of the City of Austin; Alan Taniguchi, Dean of The University of Texas School of Architecture; Richard Bean, Executive Director of the Capital Area Planning Council; Donald Berman, President of the Austin Sierra Club; and Commissioner Richard Moya of the Travis County Commissioners Court.

We are grateful to the many other individuals whose cooperation in various aspects of the research project made the results of the undertaking as useful as they are. It is obviously but not the less regrettably impossible to list all those individuals by name. We are also pleased to acknowledge financial support from the Ford Foundation for a substantial share of the costs of the research project.

Jared E. Hazleton
Project Director

*Titles given here were current as of the time of the research project.

POLICY RESEARCH PROJECT PARTICIPANTS

Dean G. Breitinger, *A.B. (Political Science), Duke University*
Jack Brock, *B.B.A. (History and Accounting), Texas Technological University; M.B.A., The University of Texas at Austin*
Robert N. Campbell, *B.A. (Business and History), Austin College*
Michael D. Donovan, *B.A. (Financial Management), Boston College*
Alicia D. Essary, *A.B. (History), Brown University*
Kenneth R. Ferguson, *B.B.A. (Management), The University of Texas at Austin*
H. Merrill Goodwyn, *B.S., M.S., (Mechanical Engineering), Louisiana Tech*
William C. Hamilton, *B.A., (Government and Economics), Austin College*
Paul Johnson, *B.A. (Psychology), Arkansas Polytechnic*
John B. McCammon, *B.A. (Psychology), Davidson College*
Jon Michaelson, *B.A. (History), Pomona College*
George Muller, *A.B. (Political Science), Rutgers; LL.B., J.D., Columbia Law School*
Bruce Perry, *B.A. (History and Political Science), Coe College*
Carl E. Symm, *B.S. (Mathematics) Texas A&M University; M.B.A. (Management), University of Houston*
James H. Thurmond, *B.A. (Political Science and Economics), Texas A&M University*
Robert Young, *B.A. (Government), The University of Texas at Austin*

Kingsley E. Haynes, *Assistant Professor of Geography*
Jared E. Hazleton, *Associate Professor of Economics,* Project Director
Dudley L. Poston, *Assistant Professor of Sociology*

SUMMARY OF THE REPORT

This report contains the principal results of the work performed during the 1971-72 academic year by the Lyndon B. Johnson School of Public Affairs Policy Research Project on Land Use Planning in Austin, Texas. Research was done on population projections, on demographic features of the immediate past and probable future population, on present and potential methods of dealing with land use, and on the responses of prominent citizens to questions about the nature of the city's problems and acceptable solutions to them.*

The findings of this report may be summarized as follows:

- *Austin's population will continue to increase over the next 30 years, reaching a minimum level of about 500,000 by the year 2000.*
- *An analysis of Austin's past growth reveals that growth has occurred through spatial expansion at the edges of the city.* The suburban area is characterized by lower population density, owner-occupied housing units, few single persons, a high fertility index, few elderly persons, a high labor force participation rate for males and a low participation rate for females, and a population that is overwhelmingly white and slightly better off economically than the city-wide average. Inside the growing edges of the city, there has been relative economic decline and a shrinking population accompanying a decreasing percentage of families.
- *The city has a number of existing mechanisms affecting extraterritorial growth and development.* These include the subdivision ordinance, contracts with water districts, utility refund contracts, and the right of first refusal on incorporation proposed by outlying territories. The most important mechanism for controlling growth both within and outside the city is a strong master plan.
- *The councils of governments mechanism affords a means for areawide coordination of planning.* The efficacy of COG efforts in this respect will depend primarily upon the degree of cooperation and support given it by local governments. Legislation at the federal level is likely to expand the role of COGs in the area of planning and land use management in the future.
- *A survey of Austin's leadership and the general populace reveals a preference for restrained growth.* A large majority of both groups prefer that Austin's population be no larger than 500,000 by the year 2000. Both groups recognize the existence of problems created by the process of growth and both endorse planning to solve these problems on an areawide basis.

*Separate studies covering the research in each of these areas in greater detail were released by the LBJ School in the spring of 1972. Copies of these earlier drafts are available on request from the Office of Publications, LBJ School of Public Affairs, The University of Texas at Austin, Drawer Y, University Station, Austin, Texas 78712.

CONTENTS

CHAPTER ONE

POPULATION PROJECTIONS FOR METROPOLITAN AUSTIN, 1975-2000

All effective urban planning must be based on the best procurable estimates of the size and needs of city population in the years immediately ahead. When the members of the policy research project began their work in the fall of 1971, the only available population projections for Austin were those made in 1965 by the Texas Research League for the Texas Water Development Board, an important state resource planning agency. These projections were not only out of date, but had been shown to be inaccurate by the 1970 census. It was, therefore, plainly essential to develop a set of trustworthy projections for the population of Travis County, the metropolitan area of Austin, over a manageable period, 1975-2000.

Forecasting future population size and composition is as much art as science. The forecasting artist begins by making two closely related decisions. First, he must choose a particular method, which is, in general, a mathematical model meant to trace the effects of a given set of independent variables on a defined population over time. Second, he must choose a set of assumptions. These represent his judgement of the significant characteristics of the present population and of dominant trends over the projection period. He must keep in mind as well that, no matter how careful his selection of method and assumptions, the smaller the population base and the longer the projection period, the more the reliability of his projections will be threatened.

THE RATIO METHOD

Because projections for large areas have proven more accurate than those for smaller areas, the researchers chose to project population growth for Travis County, the Standard Metropolitan Statistical Area, by relating it to Texas' population growth through the ratio method. That is, local population was related to state population for a defined base period, and then, using the result obtained, local population growth was projected in relation to the estimates of state population growth taken to be most reliable.

ASSUMPTIONS BEHIND THE PROJECTIONS

The assumptions chosen were:

Assumption 1. The decade 1960-1970 was the appropriate base period.

Remarks: The 1940's and early 1950's showed uneven wartime and boomtime growth: Texas population grew by 24 percent, Travis County by nearly 32 percent. In the 1960's, Texas slowed to a moderate 17 percent, but Travis County went to 39 percent, reflecting expanded college enrollment and industrial development, the former expected to decline, but the latter expected to continue vigorously, aided by the general desirability (climate, recreational facilities, and the like) of the area as a place to live.

Assumption 2. Population projections by the U.S. Bureau of the Census will be used for the State of Texas (large area) populations.

Remarks: See the note to Table 1.

Assumption 3. Local population projections will be made for the Standard Metropolitan Statistical Areas; that is, for Austin, the whole of Travis County.

Assumption 4. The average annual rate of change of the local to large area populations will decline to zero in 50 years for five urban areas: Austin, Dallas, Fort Worth, Houston, and San Antonio.

Remarks: The explanation of this assumption is an essential part of the ratio method mathematical model, and those interested can consult the full text of the original report, available from the LBJ School of Public Affairs. It is not, however, unrelated to the common sense

notion that rapid population growth for the whole state is primarily an urban phenomenon.

Assumption 5. The student population of The University of Texas at Austin should be subtracted from the Travis County total for the base period (1960-70), and an estimated student population increasing to a maximum of 50,000 by the year 2000 added to the projections.

Remarks: Growth of student population is caused by factors different from those affecting the rest of the population.

By means of the ratio method and the assumptions given, the research project arrived at the projections shown in Table 1.

TABLE 1

POPULATION PROJECTIONS FOR TRAVIS COUNTY 1975-2000

Year	Projection 1	Projection 2
1970 (actual)	295,516	295,516
1975	345,663	336,687
1980	391,146	370,793
1985	436,108	403,952
1990	480,020	435,773
1995	519,967	463,463
2000	558,000	491,670

Both projections are based on U.S. Census Bureau projections of Texas population, assuming that the migration rate observed over the periods 1955-60 and 1960-65 will continue. Projection 1, however, further assumes a moderate increase in fertility, and Projection 2 assumes a moderate continued decline.

With all due confidence in the procedures employed, the members of the research project would remind the reader that population projection is not an exact science, and that, in consequence, the results obtained must be subject to comparison with those reached by other groups using other techniques. The Austin Planning Department, for example, gives consistently higher forecasts than does this research project, the discrepancy rising to a difference of 203,687 in population for the year 2000. This is enough to indicate that no current projection can be an end in itself, but should be followed by fresh assessments, increasingly refined in technique and sufficiently frequent to catch important trends in the making. All projections agree, however, that Austin can expect a substantial continued population growth in the years immediately ahead.

CHAPTER TWO

DEMOGRAPHIC CHANGES, 1950-1970

THE CHANGING DEMOGRAPHY OF AUSTIN CENSUS TRACTS, 1950-1970

Objectives

Studies of urban land use trends and of population growth and composition are closely related. Therefore, once projections of sheer numerical increase had been made, it was decided that analysis in depth of population composition and change by defined areas in Austin, most conveniently by census tracts, would yield insight into the relation between the land and the people.

The research project sought clarification of the following issues:

1. The effects of population and spatial growth on the demographic characteristics of the city's central core.
2. The extent of demographic changes in specific areas over time.
3. The historical relationship of changes in population composition to changes in land use and housing patterns.

In particular, answers were sought to the following questions:

1. What demographic variables seem most significant in specific tracts of the city?
2. What significant changes have taken place in specific areas of Austin based on race, age, and income?
3. What are the implications of rapid extraterritorial growth?
4. What changes in the inner city resulted from population growth of the whole city?
5. To what extent are spatial growth and demographic growth related?
6. To what extent has Austin's housing pattern remained segregated?

Procedures

The census periods 1950, 1960, and 1970 were chosen for analysis, because the population of Austin nearly doubled in this 20-year span. It was decided that the shape and scope of such factors as neighborhood turnover, urban sprawl, and evolving land use patterns would emerge most plainly in times of rapid growth.

It was necessary to take into consideration changes in the number of census tracts within the city limits for 1960 and 1970, increasing as the city boundaries expanded. In 1950, there were 15 census tracts in Austin; in 1960, there were 24; and in 1970, 34. Furthermore, in both 1960 and 1970, a number of tracts were only partially within the city limits. These changes in tract definitions can be summarized as follows:

1. In 1950, all 15 tracts were completely within the city limits.
2. In 1960, tract 1 was split into a smaller tract 1 and a new tract 16. In addition, nine new tracts were created from areas annexed between 1950 and 1960, most of them, however, only partially within city limits.
3. In 1970, seven 1960 tracts were divided:
   tract 13 became 13.01 and 13.02
   tract 15 became 15.01 and 15.02
   tract 16 became 16.01 and 16.02
   tract 17 became 17.01 and 17.02
   tract 18 became 18.01 and 18.02
   tract 21 became 21.01 and 21.02
   tract 23 became 23.01, 23.02, and 23.03

Although the city boundaries again expanded between 1960 and 1970, several outlying tracts were still only partially within city limits. At sometime during this period, the boundaries of tracts 21 through 24 seem to have shifted.

To permit comparisons within areas over time, several adjustments were made in the data for certain tracts for both 1960 and 1970. For example, because tracts 1 and 16 of those years comprised the area of tract 1 in 1950, the statistics for the two newer tracts were combined. Whenever a tract was only partially within the city limits, only data for the city segment was compiled.

A further consideration was the unavailability of detailed data on Mexican-Americans from the 1970 census, which made some calculations necessarily incomplete.

The 1950, 1960, and 1970 *Census Block Books* for Austin provided the essential data which was tabulated and compared by GROPE and FOR-

TRAN computerized data processing using the following classifications:

1. total population by tract;
2. percentage of white to total population;
3. percentage of nonwhite to total population;
4. median school years completed;
5. percentage of age 0-19 to total population;
6. percentage of age 20-64 to total population;
7. percentage of age 65 and over to total population;
8. fertility index (ratio of females 15-44 to all children under 5);
9. proportion single males;
10. proportion singles females;
11. percentage of males in labor force;
12. percentage of females in labor force;
13. percentage of male professionals in labor force;
14. percentage of male managers in labor force;
15. housing–total number of units;
16. percentage of owner occupied to total housing;
17. percentage of renter occupied to total housing;
18. median housing rent;
19. median housing value.

Once these statistics had been determined for each tract, they were compared to similar statistics for the whole city, and the results represented on the graphs to be found in Appendix A.

Detailed definitions of the categories used in the graphs will be found immediately preceding them, but four of these definitions must be described here to clarify the summary of findings which follows. First, the percentages of white and nonwhite in a tract will not necessarily total 100 percent, because Spanish surnamed Austinites were computed as nonwhite although they are listed under white totals in certain census periods. Second, in 1950 the census did not give the number of Mexican-Americans in a tract unless there were more than 250. Third, no median rent is listed when there are less than 250 units in a tract. Fourth, male professionals and managers were grouped together and reported as a single total.

Summary of Findings

For the purposes of analysis, tracts were divided into two groups: the old area, which consists of tracts 2, 3, 4, 5, 6, 11, 12, and 14, and represents most of the city in 1950 as shown on the map in Figure 1; and the new area which consists of tracts 13, 15, 17, 18, 19, 20, 21, 22, 23, and 13, and represents, for the most part, areas added to the city since the 1950 census, as shown in Figure 2. The remaining tracts were largely excluded from the analysis because of certain unique characteristics which would make comparisons difficult.

The general patterns of change in several basic socioeconomic factors over the period studied can be most readily seen in Table 2. The figures represent weighted averages of the data for individual tracts within each group.

POPULATION CHANGES IN THE CENTRAL CITY, 1950-1970

Between 1950 and 1960, the population of all tracts which did not touch or extend beyond the city limits at the time of the previous (1950) census–tracts 5, 6, 7, and 11–dropped 5.2 percent. Furthermore, between 1960 and 1970, the population of all tracts which did not touch or extend beyond the city limits at the time of the previous (1960) census–tracts 2, 4, 5, 6, 7, 10, 11, and 12–dropped 5.5 percent. These drops in population are in contrast to the rapid population increase of tract 6 between 1950 and 1970 due to the growth in the University area.

It is obvious from this review that the rapid population growth of the city occurred:

1. in tracts touching or extending beyond the city limits at the time of the immediately prior census; and
2. in areas newly annexed to the city.

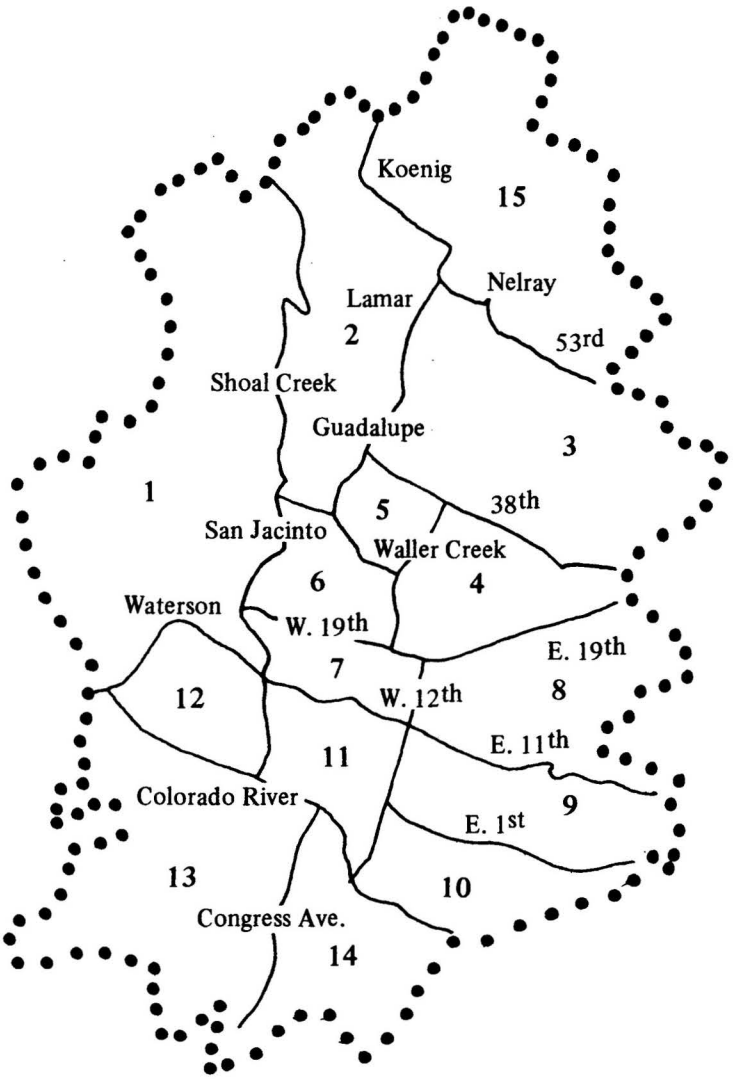
At least in part, this growth was responsible for the decline of total population and changes in other demographic characteristics of the central city area between 1950 and 1970.

These figures suggest broadly what the study confirms in detail: Austin has grown as an expanding ring. Population increases have occurred primarily at the edge of the city; within the central city, there has been relative economic decline, shrinking population, and a decreasing percentage of families.

The expanding edges of the city are charac-

Figure 1

Austin, Texas
1950



City Limits ●●●●●●

Tract Boundaries ——————

FIGURE 2
Austin, Texas
1970

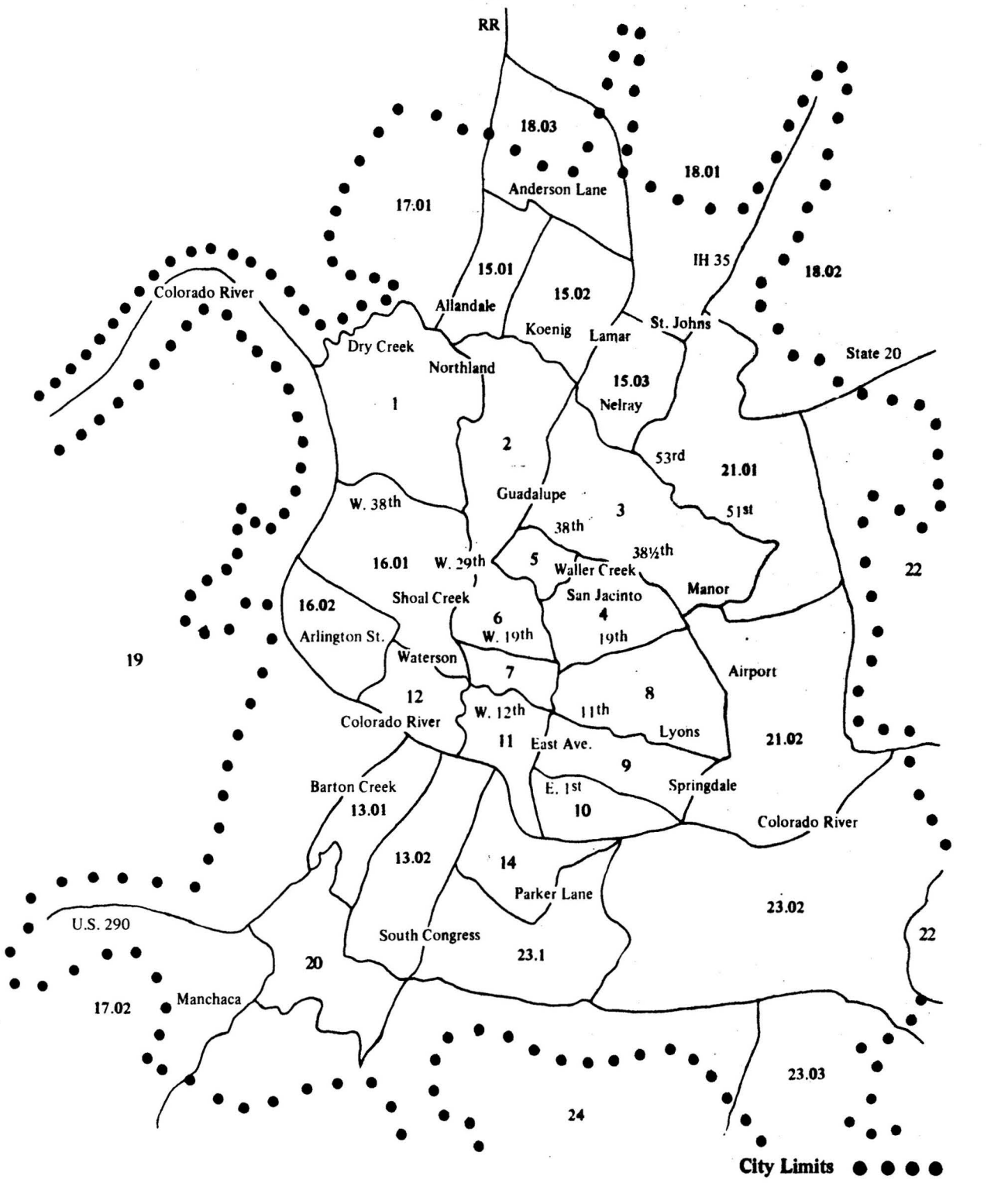


TABLE 2

SOCIOECONOMIC CHANGES IN AUSTIN 1950-1970

Socioeconomic Factors	Old Area	New Area	Austin
Total Population:			
1950	55,493	14,229	132,459
1960	51,751	62,619	186,545
1970	51,415	132,395	251,808
Percent Over Age 65:			
1950	8	4	6
1960	12	4	7
1970	12	5	7
Percent Single Males[a]:			
1950	29	18	32
1960	34	18	32
1970	43	28	35
Percent Single Females[a]:			
1950	20	13	23
1960	20	13	23
1970	27	20	28
Percent Renter Occupied:			
1950	47	32	45
1960	46	21	37
1970	60	32	40
Home Value Index[b]:			
1950	119	84	100
1960	101	98	100
1970	91	109	100
Real Home Value[c]:			
1950	11,557	8,136	9,665
1960	10,690	10,362	10,009
1970	10,357	12,723	11,600

[a]The percent of the total population of each sex 14 years of age and older who have not been married.

[b]An index relating the median home value of each area to the Austin median home value set to 100.0 for each year.

[c]The median home value, converted to 1957 base dollars.

terized by owner-occupied housing units, few single persons, a high fertility index, few elderly persons, and a large percentage of men and few women in the labor force. In general, this seems to indicate that the population of these areas consists primarily of nuclear families who are young or middle-aged. In most, but not all, of the expanding areas, the population is overwhelmingly white and is slightly better off economically than the city-wide average.

FINDINGS

The Older Tracts

In many of the older tracts (2, 4, 5, 8, 9, 10, 11, 12, and 14) there has been some decline in population, either between 1950 and 1960 or between 1960 and 1970. As a group, these tracts had a decline in population of roughly 8,900 persons, or about 10 percent for the period 1950 to 1970. In tracts 7 and 11, the population decline was marked and was clearly associated with changing land use patterns. Former residential areas were converted to commercial and institutional purposes. In tracts 2, 4, 5, 12, and 14, however, the population decline appears to be the result of aging. In tracts 8, 9, and 10, where Austin's minority population is concentrated, the population decline was not accompanied by a dramatic change in land use or by aging of the population.

The value of homes and rents in the older area has declined in comparison with the rest of the city. Homes which were once worth a little more than the city average are now worth somewhat less. In terms of current dollars, the value of these homes has increased. But, if the approximately 50 percent increase in the consumer price index between 1950 and 1970 is taken into account, the real value of these houses has decreased.

An increasing percentage of the dwelling units in these areas are renter occupied, probably because of increased construction of apartment complexes and a decline in the absolute number of owner-occupied units caused by the renting of single-family units. Many of the tracts with declining population show a high percentage of single persons and a low fertility rate. This also indicates that the preponderance of home-owning nuclear families, which characterizes the expanding edges of the city, decreases in the older areas.

Students

Much change in Austin demographic patterns has been related to student population growth. Unfortunately, with some exceptions, the extent and location of student impact is difficult to determine from census data. Clearly, tract 6 is a student area; in 1970, over 90 percent of the adults there were single, and 85 percent were between 18 and 24 years old. Tract 6 includes most of the campus and land immediately west of the University. Because of its unique population, it has been excluded from generalizations about the older areas of Austin. In other areas of the city, single persons, young adults, and high percentages of rental units may or may not indicate a concentration of students. Lower percentages of males in the labor force may indicate nonworking students, retired persons, or various others. The high percentage of working women in many of these inner tracts seems to indicate that some reason other than the student population is causing the low percentage of working men.

Income, Education, and Employment

Valid conclusions must be drawn concerning income, education, or labor force characteristics (percentage of working men who hold high status positions such as professional, technical, and kindred workers, and owners and managers) in these areas because there is no information yet available for 1970.

The income data for 1950 and 1960 are distorted because of the change in reporting methods. In 1950, median income was based on the incomes of all families and individuals; in 1960, it was based on families only. Since many of the large student population are individuals with no income of their own, most tracts were therefore lower than the citywide median income in 1950 than in 1960. It seems unwise to attempt any generalizations about changing income patterns from such data.

In addition, both the growing outer edges and the inner areas are mixed with regard to education and occupational data. The expected correlations

between income, education, and high-status workers did not appear. In fact, areas with less than high school median education at times had large number of high-status workers.

Minority Areas

The minority areas of East Austin, like the university area, have demographic special features. There are few singles, a high fertility rate (although it has declined between 1960 and 1970 more rapidly than that of the entire city), and many children. There is also a fairly high percentage of older persons. Residents of these areas appear to reside in large families, often with two breadwinners, since the male and female labor force percentages are both high in these areas. Rents and home values, while remaining in the general range of 50 percent to 75 percent of the citywide median, rose between 1950 and 1960, and then fell between 1960 and 1970. Figures available for 1950 and 1960 reveal that education, job status, and income in this area are consistently low, relative to the rest of the city. For example, educational medians were somewhere in the grade school range, and very few of the working men had high status jobs. There are no data for 1970 on these matters.

It is impossible to draw firm conclusions about the location and numbers of Spanish surnamed people in most areas of the city. In 1950, they were reported only where the number exceeded 250, and they have not been reported at all for 1970. Tract 10 had a high percentage of Mexican-Americans in 1950 and 1960, and probably still has.

SUMMARY

The census tract study reveals that Austin's growth continually thickens at the edges and thins in the middle. As areas of new homes occupied by young families develop around the edges of the city, areas in the older central portions of the city decrease in population, and home values in these areas decline. The population remaining in the older areas is less stable, because it is comprised of fewer home-owning families, and includes more singles, renters, older persons, and students.

This pattern of flourishing periphery and decaying center is familiar from the experience of the most conspicuously disturbed cities of the last decade. In Austin, it has by no means reached the stage of fixed polarization, but unquestionably it could.

CHAPTER THREE

AUSTIN AND ITS EXTRATERRITORIAL AREA: LAND USE CONTROLS

Austin has been fortunate among cities undergoing rapid development in that it has had room to grow spatially. The scope of that expansion can be seen from the acreage within the city limits of 1930, a mere 9,379, compared to 48,000 acres in 1970. It has been fortunate too in that the so-called "doughnut effect" has not become an irreversible pattern, as the research project's demographic study indicates. Nevertheless, it has presented and continues to present serious problems of land use control, which, if unsolved, may create all the difficulties of random unchecked development: pollution, lack of open space, inadequate transportation, racial polarization, and sheer ugliness. These pages point out in detail the existing and potential means for adequate control of the land and other resources necessary to the metropolitan complex that Austin is and will be. Broadly speaking, the problems of Austin can only be dealt with satisfactorily by the establishment and maintenance of goals arrived at by adjusting rational assessment of the situation by professional planners to the citizens' political assessment of acceptable solutions.

While the many difficulties of land use within the present city limits cannot be ignored—and to a large extent they result from annexation of territory under insufficient control in the past—the following analysis is primarily directed to the question of what can be done with the present extraterritorial area, viz., that area five miles outside the city limits and certain to be annexed in the near future.

THE MASTER PLAN AND THE PLANNING COMMISSION

The essential document of land use policies and their enforcement is the Austin Development Plan, or master plan, adopted by the City Council in 1961 (Appendix B). The responsibility for "making and amending" the master plan rests with the Planning Commission of nine citizens appointed by the City Council, a body elected at large, which ratifies or denies the decisions of its commission (Appendix C). Certain other officials serve as ex officio members of the commission: the city manager, the chairman of the Zoning Board of Adjustment, the director of public works, and the president of the Board of Trustees of the Austin Independent School District. While the presence of these professional planners, administrators, and well-informed citizens may act as a partial check on the activities of the commission and council, there is no denying that the master plan was conceived and is implemented in the political arena, and quite legitimately, is subject to all the pressures that politics can bring to bear.

Excessive rigidity and excessive looseness are the dangers of any land use plan, the first impeding adjustment to changing conditions, the second permitting undirected development. The land use objectives of the master plan are stated less than stringently:

1. To organize the two principal functional parts of the city—the working and living areas—so that each is clearly separated from, but complementary to the other and so that the economic, social, and cultural development of the city can be furthered.

2. To improve the city as a place for living—healthful, safe, pleasant, and satisfying—by encouraging the development of good housing for all, and by providing adequate open spaces and appropriate public facilities.

3. To encourage the development of an efficient physical environment for commerce and industry with adequate space for each type of activity.

4. To protect, preserve, and enhance the economic, social, cultural, and aesthetic values that establish the desirable quality and unique character of the city.

5. To coordinate the varied pattern of land uses with circulation routes for the efficient intracity and intercity movement of people and goods.

6. To coordinate the growth and development of Austin with that of nearby communities and the surroundings area in such a manner as to enhance each other and permit communitywide interest to prevail.

7. To coordinate the varied pattern of land uses with public and semi-public facilities.

It therefore devolves upon the Planning Com-

mission and the City Council to formulate specific goals and policies and hold fast to them against the day to day erosion of decisions taken under the influence of political interests which, after all, the members of the council properly enough represent. The task is difficult, but the success of the plan and the future of Austin depend on its accomplishment.

Land Use Map

The Austin Development Plan includes a land use map covering that area estimated to meet spatial requirements as of 1981, consisting of the delimited city in 1972 plus a two-mile extraterritorial periphery. The plan stipulates in general terms the uses of land (residential, industrial, and the like) meant to predominate in a given area. Enforcement of the land use map is based on the subdivision ordinance (see below) and the ability of the city to refuse vital public services. These tools of enforcement, though valuable, do not cover all proposed land uses. Some land is neither a subdivision within the legal definition nor land requiring public utilities. The land use map is not, therefore, in itself a comprehensive control.

It is further weakened by the possibility of amendment. When a proposed land use is in conflict with the map's provisions, the interested party can petition the Planning Commission and the City Council, a proceeding much like that governing zoning changes within the city and susceptible to a similar undermining of general goals through cumulative, ad hoc, expedient decisions.

The land use map is, however, a potentially effective control device. It could be strengthened by: (1) expanding it to embrace the entire extraterritorial jurisdiction of the city; (2) making its land use specifications complete and precise; and (3) holding those responsible for implementing it to preserving the integrity of the whole plan. The last would require that the Planning Commission and the City Council grant exceptions only in those rare instances when exceptions would further rather than retard land use goals.

Subdivision Ordinance

Under authority granted by two state laws (see Appendix D and Appendix E), the city has limited power to control any tract of land divided into two or more sections both within the city and in the extraterritorial area. The ordinance (see Appendix F) regulating subdivisions is administered by the Planning Commission which can approve or disapprove certain specifications, including division and size of lots, construction standards of streets, continuity of streets, provision of utilities, and adequate drainage. While these areas of control might seem to add up to an effective total, they do not include the two kinds of regulation which really determine land use standards: zoning and building codes.

The ordinance also requires that "the subdivision shall conform to the master plan," thus *in posse* extending the authority of the plan to the extraterritorial jurisdiction. Once again, however, the lack of sharply enunciated policies in the plan itself renders the extension less meaningful than it might be.

The state laws permitting the city to regulate subdivisions also provide for direct enforcement by court injunction and by refusal of public services to subdivisions in violation of the ordinance. Indirect means of enforcement is further provided by law in that the plats within noncomplying subdivisions cannot legally be recorded in the office of the county clerk, and the property cannot then be easily sold or transferred. These are considerations of great weight to developers and purchasers.

The master plan, the land use map, and the subdivision ordinance are the fundamental means functioning at present to control by law and by overall pattern the use of land in the metropolitan area of Austin.

ADDITIONAL METHODS OF LAND USE CONTROL

Planned Unit Development

In March of 1971, the City Council, by ordinance, added to the three basic laws of the local land a hybrid option for prospective subdivision developers called Planned Unit Development (PUD) (see Appendix G). PUD has three advantages:

1. it requires a complete plan of a site, thereby allowing the city close supervision of a whole subdivision;

2. it encourages flexibility and innovation by both city and subdivider in fitting together land use policies and subdivision design;

3. its provisions are thorough and detailed and closely approximate the powers of zoning.

PUD is not certainly applicable to the extraterritorial area, and it is not mandatory anywhere; however, if through negotiation and trade-offs the city made it advantageous for developers to embrace PUD, the city could exert a strong influence on development in accordance with proper land use objectives in an atmosphere of cooperation rather than enforcement.

Zoning and Building Codes

If PUD succeeds, it may bring some of the effects of zoning and building codes to the developing areas near the city before they are annexed. At present, both controls apply only within the city, but several attempts were made in recent sessions of the state legislature (see Appendix H) to extend them to the extraterritorial jurisdiction. All those attempts were defeated. Zoning remains entirely a force within the city, and one far less effective than it should be, subject to almost daily variances, and trailing after developments rather than shaping them. It is another of those areas of control which need, above all, firm leadership from the City Council and the Planning Commission.

Building codes, however, have been made to operate on a limited scale outside the city through contractual agreements, particularly with water districts, and they will be discussed further in the following section.

Public Services

The power of the city to decide which of its basic public services, such as water, drainage, electricity, transportation, and the like, it will extend to those outside its boundaries, to what specific areas, at whose expense, and at what price, is a considerable tool of attraction, repulsion, and command. It is necessary to attempt some description of this power as it operates in the development and expansion of Austin.

Water. Austin is blessed, so far, with enough water for its townspeople and can afford to supply the surrounding areas. In Texas, acquiring and distributing water is done largely by special subdivisions called water districts, created by act of the legislature. There are 12 such districts in the Austin area, seven now owned, through purchase, by the city. With rare exceptions, the city does not provide water outside the water districts, which make up a significant portion of the extraterritorial jurisdiction.

The districts purchase water on contract, and the city has used these contracts for limited control of land use, extending the subdivision ordinance in the following manner:

> No such water delivered to the district shall be sold or delivered to customers in any subdivision within the district and within five (5) miles of the corporate boundaries of the City of Austin until such subdivision has been approved by the Planning Commission of the City of Austin.

Building codes may be and are to some extent incorporated into these contracts, but zoning is not as yet.

Price is used to manipulate extraterritorial population in another way, setting the cost of water to the districts 50 percent above the price to city customers, a mild discouragement to residence in the suburbs. This discriminatory tactic has had some difficulties before the law: courts are inclined to grant the increased rate only on real cost difference. As resources shrink, however, the courts may become more receptive to the notion of location alone as a legal basis for higher prices, precisely as a municipal tool for influencing development.

Sewer Facilities. Mayor Roy Butler of Austin has said, "In the near future the difference between cattle grazing land and development land will be sewers." Nevertheless, Austin has not had a clear policy on extension of sewer facilities, and has, in fact, extended them very little. There are only about 220 taps outside the city compared to approximately 74,000 within. Such extensions as there are have been to businesses and subdivisions, both of which pay 20 percent of construction costs.

With the general concern over the wide use of septic tanks in an area dominated by recreational

lakes, and with the pressures of large new subdivisions just over the city line, it can be expected that firm policies will occupy the attention of the city fathers, and that these facilities will be greatly expanded in the future. The potential of this new field for land use purposes is obvious, but it remains to be seen precisely what will emerge.

Utility Refund Contract. The utility refund contract, adopted the same year as the City Charter of 1953, is of particular interest because it applies, in part, to the extraterritorial jurisdiction not included in water districts and makes rather bald use of several possibilities of land use control (Appendix I).

For example, Item 1 provides that the city will pay the cost of construction of electric lines within any approved subdivision. In Item 9, sewage treatment plants built in accordance with city regulations and servicing subdivisions approved by the Planning Commission, will, upon annexation, bring a return to the developer of 50 percent of plant value less 5 percent devaluation per year from date of construction. Item 10 reimburses the developer 90 pecent of the cost of water and sewage systems in approved subdivisions, on annexation, and at a lower depreciation rate. Other items offer similar lures to the cooperative developer.

But this is no simple matter of reciprocal back scratching. To begin with, while it offers some incentives for developing approved subdivisions outside the city, it offers even more for developments of the same quality inside the city. It is further argued that, insofar as the policy subsidizes spreading suburbs, it promotes urban sprawl and does so at heavy cost to city taxpayers. On the other hand, besides providing some control of subdivision development, it is said to be indeed economical in that it inhibits the growth of Municipal Urban Development (MUD) Districts around the city which can impede orderly expansion when their generally heavy indebtedness must be assumed by the city on annexation. MUD Districts, it is also claimed, can be expensive because their facilities may be substandard and require replacement by the city or extensive repair.

These conflicting claims cannot be resolved here, but it would seem obvious that Austin needs stronger controls in this area and, at the same time, more varied incentives.

For developers in the 12 water districts, there is a refund contract available providing full reimbursement to developers for construction of water distribution systems. It brings the subdivision so contracted under the subdivision ordinance, but it might well ask for more, because the city owns seven of the districts, and it can negotiate in these directly with the subdivider.

Transportation. Transportation systems are usually based on assessment of future land use and needs. But the effect that the planned systems may have on those uses and needs is often overlooked, and Austin provides a recent example of such oversight.

The Mopac Highway, providing high-income, residential West Austin easy access to the central city, serves its purpose, but at the same time it reinforces and may accelerate the expansionary trend to the northwest, which may or may not have been what the designers had in mind.

For the most part, however, the construction of transportation facilities in Austin has tended merely to supply existing minimal needs, because of the city's very rapid growth and financial constraints. There is no doubt that provision of appropriate facilities, in conjunction with the state and county, could be used as an important element in a unified strategy to direct the flow of expansion.

Electricity. Because Austin already supplies electricity to an area 10 miles beyond the corporate limits, or five miles beyond the extraterritorial jurisdiction, and because it could only mildly influence expansion by price differentials like those of water supply, there seems little potential here for exercising control over land use.

Pollution Control

One of the great attractions of Austin to prospective residents is the abundance of pleasant lakes and other water recreational facilities and the abundance of potable tap water. The most serious pollution threat in Austin is precisely to these widely advertised and enjoyed features, principally through the vexing problem of septic tank control which falls somewhere in the overlapping jurisdictions of the city, the county, the Lower Colorado River Authority (responsible for the chain of large, manmade flood control lakes north

of the city), and the Texas Water Quality Board (TWQB).

The City-County Health Department inspects the installation of septic tanks in the area bounded by the five-mile extraterritorial limit. The city has authority to police Lake Austin to prevent pollutant discharges. Chapter 29, Section 48 of the City Code stipulates that the city shall have police authority over the direct or indirect discharge of pollutants into the city water supply, with jurisdiction over the whole county. But this area is also subject for the same purposes to both the county and the TWQB. Because the city acting alone has grave problems of enforcement, the best solution lies in cooperation between the three rather than disputes. Cooperation tends to be forced on them by broad public interest in the preservation of these environmental features which have so much to do with the quality of life in Austin. Failure to maintain these prime resources in good condition might indeed render moot many questions of land use and control considered here.

Additional Legal Mechanisms

There remain several devices in the realm of law which presumably could be used to some effect in implementing land use goals in the extraterritorial jurisdiction but which, either because they are quite new, or because they present difficulties, have not yet been tested.

The Municipal Annexation Act. The Municipal Annexation Act, article 970a, *Vernon's Texas Civil Statutes* (*VTCS*), as modified by article 974a, has already been discussed as the authorization for the subdivision ordinance. In addition, it provides in section 5 for creation of industrial districts within the extraterritorial area by negotiation of contracts with industries in advance of location to include any conditions acceptable to both parties and allowing a guarantee by the city that the area would not be annexed for seven years. If the wide latitude granted to cities in these negotiations was employed consistently to land use ends, it could encourage desirable industries and discourage undesirable ones, while trading for zoning controls far in advance of annexation.

Further, section 8 of the act gives the city some control of proposed incorporation of new cities within the extraterritorial jurisdiction and of the creation of water and sewer districts there. These powers are not overwhelming, but they serve to impede the hasty rise of autonomous political subdivisions in the path of the city's legitimate expansion.

Extraterritorial Eminent Domain. The Austin City Charter of 1953 states that the city "may acquire property within or without its corporate limits for any municipal purposes . . . by purchase, . . . lease or condemnation" (article I, section 3). This claim was made, in fact, some years before real statutory authority for such acquisitions was extended to cities the size of Austin by the amendment of article 969b, section 1, *VTCS*, effective June 10, 1969. By that amendment, incorporated or chartered cities and towns were granted countywide exercise of eminent domain for a long list of "public purposes." These powers do not seem to have been extensively used to date.

Limited Purpose Annexation. Another claim made in the city charter was that the city could control "planning and zoning" and "sanitation and health protection" by a kind of nonterritorial annexation (Appendix J). Although obviously superior to the limitations of the present annexation law, this power has not, apparently, been put to the test, presumably because there is grave doubt of its legality.

Home Rule Powers. A final power, firmly on the books, is that granted by article 1175, *VTCS*, (Appendix K) which allows home-rule cities—of which Austin is one—to "define all nuisances and prohibit the same . . . outside the city for a distance of five thousand feet." It will be noted that the operative distance is inconveniently just short of the standard linear measure, the mile.

CAPCO

A mechanism of cooperation rather than control beyond the county level having to do with, among other things, land use planning is the council of governments (COG). COGs are voluntary regional associations which seek to solve problems by agreements made across jurisdictional boundaries. They are multifunctional and essentially advisory in nature, but they are recognized both by federal

law, which makes them eligible to receive grants for planning and programs, and by state law (Senate Bill No. 54, Acts of the 61st Legislature, Regular Session, 1969) which gives them the status of political subdivisions and a broad mandate for regional planning.

For the most part, as the following chart shows, activities of Texas COGs have been confined to preplanning surveys, planning, and the like. Recently, however, the Capital Area Planning Council (CAPCO)—the COG of which Austin is the principal city—and the other large urban COGs of Texas have received large grants of state funds for law enforcement programs and federal funds for rural family planning. These are programs which relate to both population growth and land use.

Table 3 shows the activities of CAPCO in the context of the other 23 Texas regional councils (see Figure 3). "Land Use" indicates the geographical delineation by the councils of functional uses, such as industrial, commercial, residential, or public. "Open Space" is not limited to undeveloped urban and rural areas but includes parks, recreational areas, and other developed lands characterized by low-intensity nonurban uses.

The type of work emphasized is shown by:

S . . . . . studies, of a general nature;
I . . . . . inventories, comprehensive;
P . . . . . plans;
Other . . by number reference in ( )'s to corresponding note at end.

The stage of completion is shown by:

* . . . . . proposed work plan;
** . . . . work in progress;
*** . . . work completed.

The scope of work is either:

1 . . . . . regional (the whole COG); or
2 . . . . . subregional.

A blank indicates that the council is not now undertaking work in the area. The sources used are council publications and other statements, written and oral, made by council representatives, and information is as recent as possible, though the possibility of inaccuracies is acknowledged.

TABLE 3

Council Name	Land Use			Open Space			Water and Sewer			Other
	Type	Stage	Scope	Type	Stage	Scope	Type	Stage	Scope	
Alamo Area Council of Governments (8/66)										
Ark-Tex Council of Governments (12/68)	P	***	2	P	**	1				
Brazos Valley Development Council (11/66)										(1)
Capital Area Planning Council (6/70)				I	***	1	P	*	1	
Central Texas Council of Governments (12/68)				I	**	1	S	**	1	
Coastal Bend Council of Governments (11/66)							P	*	1	(2)
Concho Valley Council of Governments (5/67)	P	***	1	I	***	1				

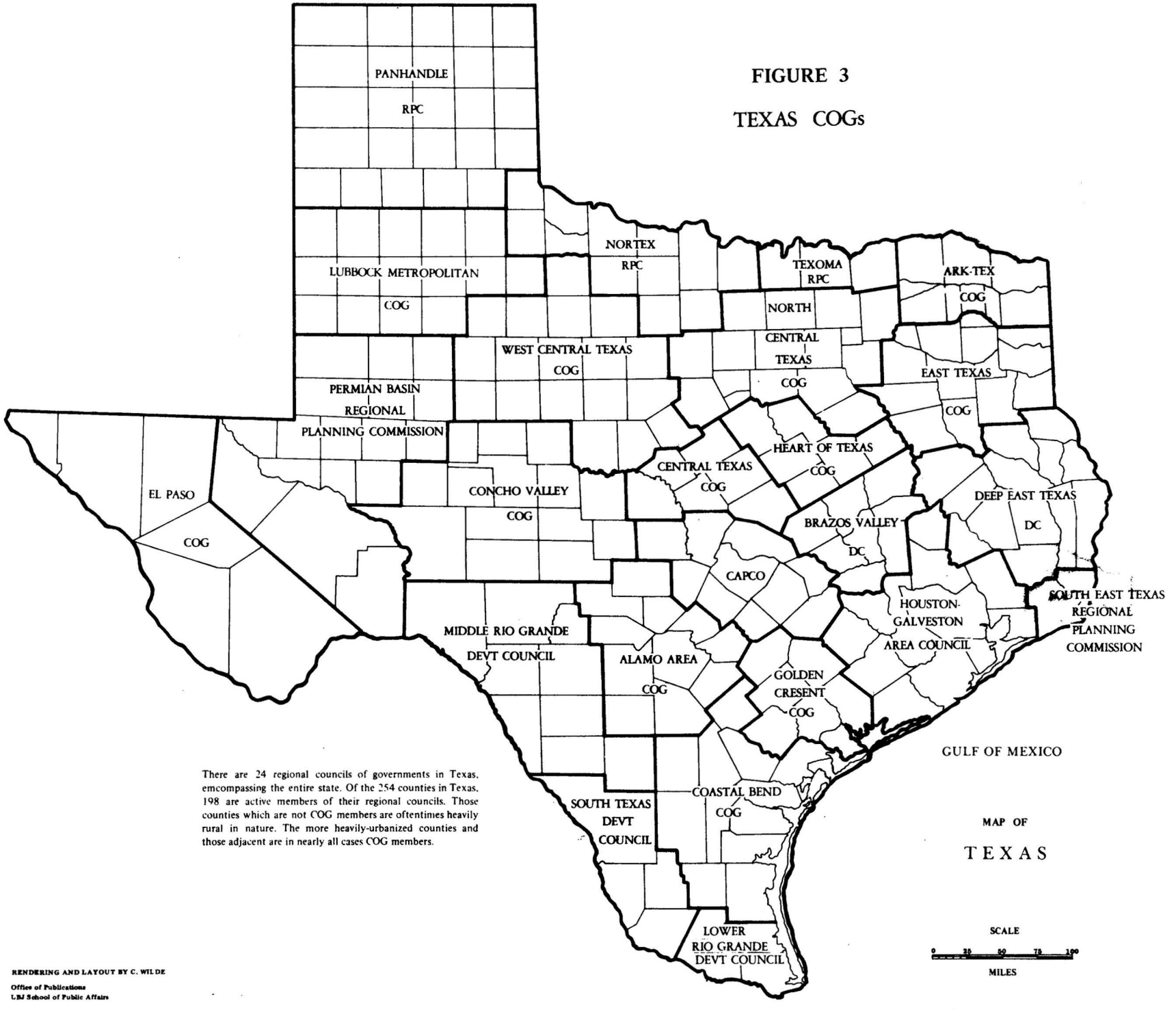
TABLE 3, continued

	Land Use			Open Space			Water and Sewer			Other
	Type	Stage	Scope	Type	Stage	Scope	Type	Stage	Scope	
Deep East Texas Devt. Council (8/66)	P	**	1							
East Texas Council of Governments (6/70)	P	**	1							
El Paso Council of Governments (1/67)	I	***	1							
Golden Crescent Council of Govts. (1/68)										
Heart of Texas Council of Govts. (5/66)	I	***	1				S	**	1	
Houston-Galveston Area Council (9/66)	P	*	1	P	***	1				
Lower Rio Grande Devt. Council (8/67)	I	***	1							(3)
Lubbock Metropolitan Council of Govt. (6/69)	P P, I	* ***	1 2							
Middle Rio Grande Devt. Council (3/70)				P	***	1				
Nortex Regional Planning Commission (1/66)	S	**	1	S	***	1	S	**	2	
North Central Texas COG (1/66)				P	***	1				
Panhandle Regional Planning Commission (9/69)	I	**	1							
Permian Basin Regional Planning Commission (5/71)							S	**	1	
South East Texas Regional Planning Commission (6/70)										(4)
South Texas Development Council (5/69)										(5)
Texoma Regional Planning Council (1/68)										(5)
West Central Texas Council of Govts. (10/66)				P	***	1				

(1) Presently initiating planning studies
(2) Regional solid waste plan proposed
(3) Land use policy statement proposed
(4) Citizen committee on open-space planning formed
(5) Open-space work

FIGURE 3

TEXAS COGs



There are 24 regional councils of governments in Texas, emcompassing the entire state. Of the 254 counties in Texas, 198 are active members of their regional councils. Those counties which are not COG members are oftentimes heavily rural in nature. The more heavily-urbanized counties and those adjacent are in nearly all cases COG members.

RENDERING AND LAYOUT BY C. WILDE
Office of Publications
LBJ School of Public Affairs

CHAPTER FOUR

HOW THE LEADERS SEE IT

A SURVEY

PURPOSE

It is, perhaps, in guiding land use that the prominence of prominent citizens is most visible, for there are few decisions of public life, business, and the professions that do not involve, directly or indirectly, immediately or ultimately, changes in the values and functions of metropolitan land. The nonprominent, "average" citizen, although he can exercise through the vote, at rather widely spaced intervals, some power over choice of elected officials and certain financial commitments, does not significantly participate in the day by day flow of small decisions which produce trend patterns. Elections, in any case, are rarely rational debates on land use policies.

As was pointed out in the preceding section, the research and planning of students and professionals in land use policy can only yield results when brought into functional agreement with the attitudes of those who make the political determination of what, exactly, will be done. Recognizing this, the research project undertook a survey of the opinions of acknowledged Austin leaders in relevant fields on the definition of Austin problems and acceptable solutions to them. The survey is meant to be a useful document and to provide a frame of reference within which comprehensive community planning can develop realistically. The possibility was by no means ignored that the survey could serve a more than passive purpose, in stimulating the leaders consulted to ponder the large questions in Austin's future.

PROCEDURES

A questionnaire was designed, tested, and revised which would cover a wide range of local problems related to land use and population growth. Questions were of two types: general problems, such as population size, priorities of action, and the like; and specific problems, such as traffic control, police, employment. The participants were asked whether a given problem existed now, whether it would exist in the year 2000, and which of several solutions offered were desirable. In particular, they were asked what costs they would be willing to bear to achieve the solutions they preferred.

Participants were selected by the "Reputational Method": several prominent citizens were requested to name the Austinites they thought of as leaders in 10 fields, and in addition, to name the leaders in their own specialities. In this way a list of 132 prospective members of the survey was compiled of whom 83 were interviewed. The number represents all those who could be located and who were willing to respond. From this group, the responses of 74 were finally selected from questionnaire analysis. The smallness of the sample was not considered to affect its validity, for the distribution by field of specialization was that of the original survey design, and the very nature of the project required balanced representation rather than size.

The participants were divided into the following groups, reported throughout the analysis by letter code:

Group	Leadership Field	Number
A	politics	25
B	business, professions	17
C	real estate, investment, banking	16
D	environment, students, minorities	16

The questionnaire was administered by personal interview with two research project members present. This method allowed for comment and expansion of remarks beyond the categories of the structured instrument. In this summary, however, findings are given in terms of group responses by percentage, and the exact test of the questions will not always be reproduced. A report containing the complete questionnaire can be obtained from the LBJ School of Public Affairs, Office of Publications.

RESULTS

The first part of the questionnaire was devoted to equal opportunity problems. The four questions on jobs illustrate the format:

QUESTION 1

Is there equal job opportunity in Austin today for the blacks and/or Mexican-Americans?
(a) Black ( ) Yes ( ) No
(b) Mexican-American ( ) Yes ( ) No

		Total		Group A		Group B		Group C		Group D	
		N	%	N	%	N	%	N	%	N	%
(a)	YES	25	34	7	28	5	29	9	56	4	25
(a)	NO	47	64	18	72	12	71	5	31	12	75
(a)	NR*	2	2	0	0	0	0	2	13	0	0
(b)	YES	24	32	6	24	5	29	9	56	4	25
(b)	NO	48	65	19	76	12	71	5	31	12	75
(b)	NR	2	2	0	0	0	0	2	13	0	0

*NR = no response

QUESTION 2

Do you anticipate that there will be a problem in Austin in the year 2000 in equal job opportunity for blacks and/or Mexican-Americans?
(a) Black ( ) Yes ( ) No
(b) Mexican-American ( ) Yes ( ) No

		Total		Group A		Group B		Group C		Group D	
		N	%	N	%	N	%	N	%	N	%
(a)	YES	31	42	10	40	10	59	3	19	8	50
(a)	NO	32	43	14	56	5	29	7	44	6	38
(a)	NR	11	15	1	4	2	12	6	38	2	13
(b)	YES	29	39	9	36	9	53	3	19	8	50
(b)	NO	34	46	15	60	6	35	7	44	6	38
(b)	NR	11	15	1	4	2	12	6	38	2	13

QUESTION 3

What do you feel would be an effective solution(s) to the problem of equal job opportunities in Austin for the blacks and/or Mexican-Americans?
(a) increased vocational training
(b) increased opportunities for unskilled labor

(c) recruitment and preferential hiring for private industry
(d) increased opportunities for small businessmen
(e) increased recruitment for public employment
(f) other (please specify)

	Total		Group A		Group B		Group C		Group D	
	N	%	N	%	N	%	N	%	N	%
(a)	45	61	15	60	7	41	9	56	14	88
(b)	23	31	5	20	6	35	4	25	8	50
(c)	26	35	10	40	4	24	3	19	9	56
(d)	29	39	9	36	6	35	3	19	11	69
(e)	27	36	10	40	3	18	3	19	11	69
(f)	26	35	9	36	7	41	2	13	8	50

QUESTION 4

What cost(s) are you willing to incur to achieve such a solution(s)?
(a) willingness to accept language and cultural differences
(b) accepting less qualified applicants
(c) change job qualifications
(d) higher taxes to support vocational training and increased public employment
(e) lending financial and technical assistance to minority businesses
(f) on the job training
(g) increased federal involvement
(h) encouraging labor intensive (i.e. companies that use a lot of unskilled labor) industries to come to Austin
(i) other (please specify)
(j) unwilling to incur any additional cost

	Total		Group A		Group B		Group C		Group D	
	N	%	N	%	N	%	N	%	N	%
(a)	33	45	11	44	8	47	3	19	11	69
(b)	17	23	7	28	5	29	1	6	4	25
(c)	16	21	7	28	4	24	0	0	7	44
(d)	34	46	10	40	8	47	6	38	16	100
(e)	32	43	9	36	8	47	3	19	12	75
(f)	36	49	10	40	8	47	5	31	12	81
(g)	26	35	7	28	4	24	4	25	11	69
(h)	16	22	3	12	3	18	3	19	7	44
(i)	9	12	2	8	4	24	2	13	1	6
(j)	4	5	1	4	2	12	1	6	0	0

Almost twice as many residents think that Austin now has job inequalities as think it has none, and about half of the total expect these inequalities to persist in the year 2000. In three of the four groups, A, B, and D, the affirmative response is overwhelming: 72 percent, 71 percent, and 75 percent, respectively. But 56 percent of C, the realtors, investors, and bankers, claim that, on the contrary, equal employment opportunity is available at present in Austin. Groups B and D agree that the problem will still be around in the year 2000, and Group B feels quite strongly about it, a significant response from the businessmen who deal directly with a large segment of local labor and management.

Vocational training is the most popular solution for all groups: 61 percent. Group C seems reluctant to give strong support to the costs suggested. The remaining groups selected most of them, and Group D selected almost all. It is of some interest that the solutions question here is one of the few in the entire survey that has a large percentage of respondents offering similar solutions in the *OTHER* (f) section. Almost one-half (12 of 26) favor continued education, thought of, apparently, as a more desirable alternative to vocational training.

Equal housing opportunity for minorities is probably the most touchy question on the whole survey.

QUESTION 5

Is there equal housing opportunity in Austin today for the blacks and/or Mexican-Americans?

(a) Black ( ) Yes ( ) No
(b) Mexican-American ( ) No ( ) No

		Total		Group A		Group B		Group C		Group D	
		N	%	N	%	N	%	N	%	N	%
(a)	YES	22	30	6	24	3	18	8	50	5	31
(a)	NO	50	68	18	72	13	76	8	50	11	69
(a)	NR	2	2	1	4	1	6	0	0	0	0
(b)	YES	34	46	10	40	8	47	5	31	11	69
(b)	NO	28	38	12	48	6	35	7	44	3	19
(b)	NR	12	16	3	12	3	18	4	25	2	13

The preferred solution is an open housing ordinance, supported by 69 percent of Group D and 28 percent of Group A. It is worth noting that, a few years ago, an attempt to promulgate just such an ordinance was generally held responsible for the defeat at the polls of a "liberal" city council. Solutions ranking lowest are those that put single or multifamily housing in poor neighborhoods. Although 68 percent feel that there is a lack of equal housing opportunity, Group C being the only one to divide evenly on the issue, Group D alone is willing to act strongly on solutions and costs. There is a marked contrast between the 44 percent of Group D willing to bear lower property values as a cost of equal housing and the absolute rejection of this possibility by Group C.

On educational opportunity, the responses are similar. All groups except C say that Austin still does not have equality in its schools, but unlike the housing question, all groups think that the problem will be solved by the year 2000. Some of the more popular solutions are bilingual education, more minority personnel, and, for Group D only, increased involvement of The University of Texas in the public school system. As could be expected, the whole sample rejects busing, but 50 percent of Group D supports busing of *all* children. Groups B and C seem almost completely unwilling to commit

themselves to a solution. The only proposed solutions with more than 20 percent support from these groups are those for improving schools in low income areas.

Only Group D is committed to the costs of changing educational patterns. Group A gives marginal support to higher taxes and majority support to costs (matching funds) brought about by federal funding for minority education programs. Group D, however, supports all costs except those more or less personal costs related to closing neighborhood schools, and it is the sole group in which a majority is willing to pay increased taxes.

The significance of the responses to the equal opportunities section of the survey is not clear and cannot be stated simply. Most striking is the consistent denial by Group C of the majority view that minorities in Austin do no have equality of opportunity in jobs, housing, and education, in light of the fact that Group C is most immediately involved in both public and private land use.

Responding to a set of questions on growth of the city, 62 percent do not want a population of more than 500,000 by the year 2000, and 85 percent oppose any growth beyond 750,000. All agree that growth should be as systematic as possible.

The methods favored for controlling expansion are: planned annexation, 75 percent; controlled subdivisions, 69 percent; controlled incorporation of outlying areas, 62 percent; and controlled extension of utilities, 60 percent.

A majority of 57 percent thinks that zoning must be significantly changed in order to influence growth.

More than half prefer that additional economic development be in the governmental and university sectors. Industry, tourism, and research are next in order. Light and light-medium, nonpulluting industries such as Texas Instruments and IBM are favored, reflecting the participants concern for environmental quality.

Concerning the scope of planning, 95 percent approve planning on at least a countywide basis, and 81 percent want regional planning.

Some 58 percent think that the present system of government will not be adequate to cope with the Austin of 2000, but there is no concensus on solutions.

There is near unanimity on the existence and persistence of traffic problems. Each of the three listed solutions–mass transit, rapid transit (fixed), and an expanded freeway system–receives about 50 percent support. Revenue bonds are the preferred means of payment. Eighty-nine percent favor federal assistance in financing alternative transportation, despite the wording of the question warning of "attendant guidelines and restrictions."

In the environmental section of the survey, serious problems in air pollution, water pollution, and solid waste disposal are expected by the year 2000. Strictly enforced ordinances are strongly favored as solutions. A majority also thinks that park land and open space will be inadequate by the year 2000, and a near majority will accept higher taxes to pay for acquisition and maintenance. In general, environmental quality was an immediate interest of the whole sample.

The respondents favor by an overwhelming 95 percent the revitalization of sections of the existing city and give broad support to nearly all the means proposed to that end: enforcement of building and housing codes, 54 percent; urban renewal, 53 percent; model cities, 50 percent; and low-interest mortgage loans, 42 percent.

The present ad valorem tax system will be inadequate to the needs of 2000 in the opinion of 80 percent of those interviewed. Acceptable alternatives are: an increased city sales tax, 38 percent; a city income tax and user fees, 31 percent each. Federal revenue sharing received the support of 30 percent.

Again there is wide agreement on a general question and considerable divergence on solutions with regard to the Austin Police Department. A majority, 82 percent, think it has problems now, and a smaller majority, 69 percent, think it will still have them in 2000. Better training, 68 percent; higher salaries, 59 percent; neighborhood police stations, 45 percent; more personnel, 43 percent; and higher educational standards, 45 percent; are all acceptable solutions. The following solutions were acceptable for meeting costs: higher taxes, 61 percent; decentralized facilities, 39 percent; and money for more personnel, 36 percent. Every cost was accepted by more than 50 percent of Group D, an indication of the importance this group attaches to better police service.

On the rebate system, the leaders are split

almost down the middle. Forty-five percent think it is a wise use of public funds; 41 percent do not. As might be expected, Group C strongly supports it as does Group B. This is a logical reflection of their professional interest in seeing the city provide incentives for continued subdivision and housing expansion. Just as logically, Groups A and D show the general unpopularity of rebates among those who cannot expect to benefit from them but must bear some portion of their cost. It must be said, however, that the interpretation of these responses cannot ignore the complexity of the rebate system and the wide range of understanding of it represented in the sample: a range from almost total ignorance to high professional competence.

After all the searching questions on details of planning and responsibility, the questionnaire ended with two opportunities for the leaders to finish on a more comfortable grand and general level of public discourse.

First, they were asked to select an "image" for Austin 30 years from now. Multiple answers were invited. Eighty-five percent want Austin to be known as an educational center, and almost as many, 82 percent, would like it to be thought of as a governmental center, both of which it already is. Other images receiving majority support are: professional, 69 percent; cultural, 68 percent; and tourist, 50 percent.

Second, they were asked to rank items in order of priority for action over the coming 30 years. Tied for first place are improvement of racial and ethnic relations and improvement of transportation. After these, improvement of public education, improvement of employment opportunities, and improvement of environmental conditions are runners-up.

These are neither firm commitments nor campaign promises, but they may be fairly taken to represent the wishes and intentions of the participants at the time of the survey. Minds will change, and so will conditions and possibilities before 2000 is reached; it will be interesting to see what the next such survey reveals. Because Austin is still a city which can grow and yet retain some control over its final destiny, as some cities seem no longer capable of doing, it will be more than interesting to see what kind of Austin greets the next millennium.

APPENDIX A

AUSTIN POPULATION BY CENSUS TRACTS, 1950 - 1970*

Tract	1950	1960	1970
1	18,428	6,859	6,862
2	12,242	12,375	11,670
3	11,257	11,764	12,937
4	7,614	8,474	8,448
5	3,598	3,507	4,112
6	10,386	11,072	13,700
7	5,787	3,594	2,714
8	12,734	15,764	13,361
9	14,687	12,962	10,229
10	6,502	6,756	5,463
11	4,982	3,196	2,307
12	5,116	4,547	3,492
13	10,216	14,485	
13.01			5,764
13.02			12,172
14	4,897	4,395	5,740
15	4,013	16,494	
15.01			6,635
15.02			10,828
15.03			4,454
16		18,662	
16.01			14,082
16.02			4,296
17		1,024	
17.01			6,957
17.02			5,044
18		4,993	
18.01			9,868
18.02			2,459
18.03			8,509
19		1,312	2,790
20		5,326	6,809
21		13,685	
21.01			21,251
21.02			11,505
22		973	160
23		3,369	
23.01			9,297
23.02			4,713
23.03			140
24		958	2,960
Travis County	160,980	212,136	295,516
Austin	132,459	186,545	251,808
Balance	28,521	25,591	43,703

*For maps of the Austin Census Tracts in 1950 and 1970, see Chapter Two, Figures 1 and 2. pp. 5 and 6.

DEMOGRAPHIC GRAPHS OF AUSTIN 1950-1970

Definitions

Persons—total population at the time of each census enumeration.

White—total Caucasians, but see *Mexican-Americans.*

Black—total Negroes.

Mexican-American—white persons with Spanish surnames; not a separate racial group according to census data and state law; data for 1970 not available; only recorded in 1950 when total in tract exceeded 250.

Education—median number of school years completed by persons 24 years or older; data not available for 1970; expressed as an index based on the city median.

Income—median annual income, including families and unrelated individuals in 1950 and families only in 1960; data not available for 1970; expressed as an index based on the city median.

Age—broken down by 0-19, 20-64, and 65 and over; expressed in bar graphs as percentage of total population.

Fertility—the ratio of the number of male and female children under 5 per 100 women between 15 and 44 years of age, or roughly childbearing age.

Singles (Male and Female)—male and females 14 and over who have never been married as percentages of total males and females 14 and over respectively.

Labor Force (Male and Female)—males and females 14 and over in the labor force as percentages of total males and and females 14 and over respectively. Members of the labor force unemployed at the time of the census enumeration are still listed.

Male Professionals and Managers—percent of male labor force who are classified as "professionals, technical, and kindred workers" or "owners and managers."

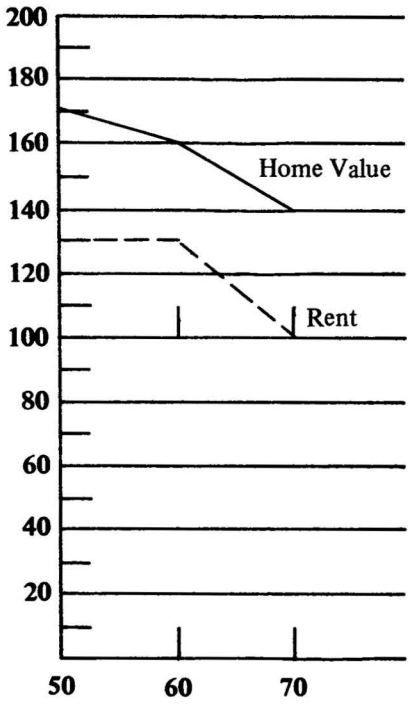
Housing Units—total number of housing units available as permanent dwellings, occupied or not.

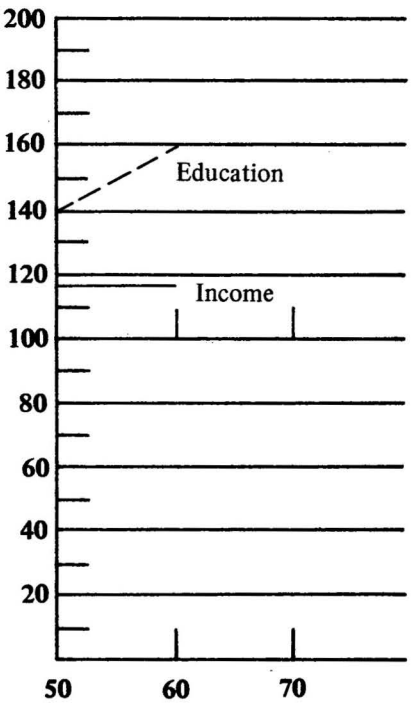
Renters—percent of housing total occupied by persons paying rent for the unit.

Rent—median rent for occupied rental units in current unadjusted dollars.

Home Value—median value for owner occupied housing units based on constant 1957 dollars to allow for inflation; termed, adjusted median value.

Indices—for each census year, the median figure for each category of income, education, rent, and home value for the entire city is given a value of 100.0. The respective median figures for individual tracts are then represented as a percent of the citywide figure.

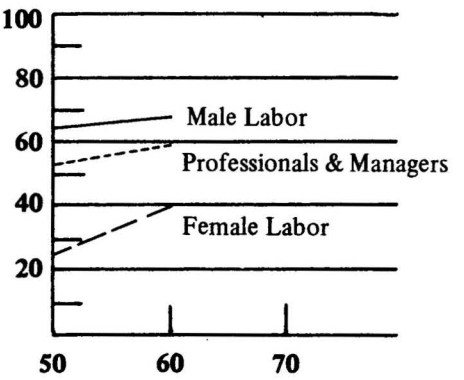


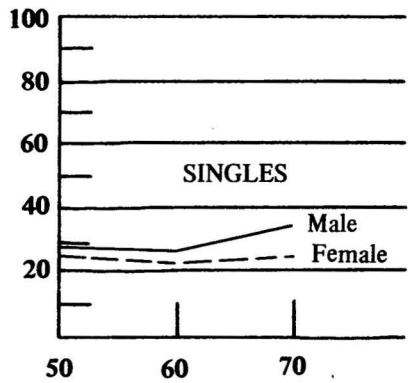


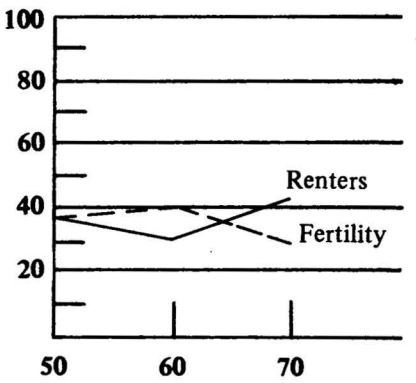
TRACTS 1 & 16

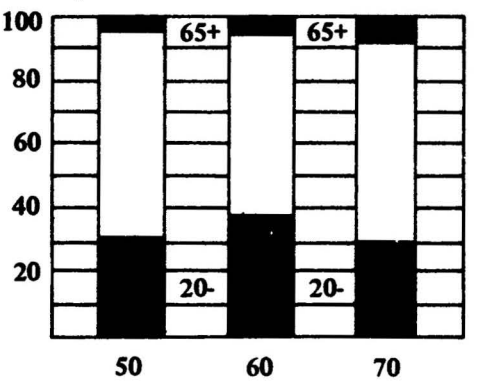
Tract 1 split into 1 & 16 in 1960

Tract 16 split into 16.1 & 16.2 in 1970

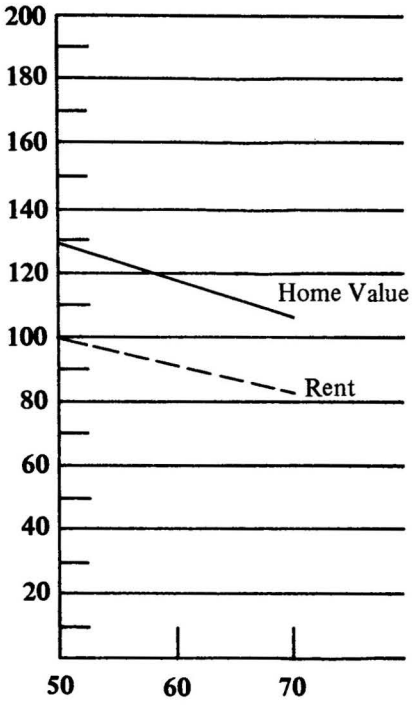


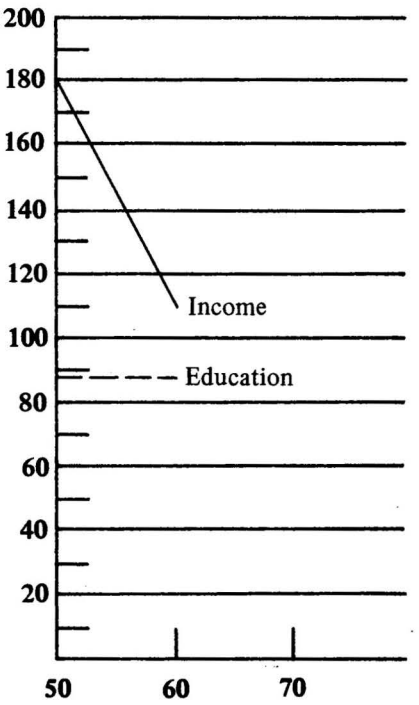




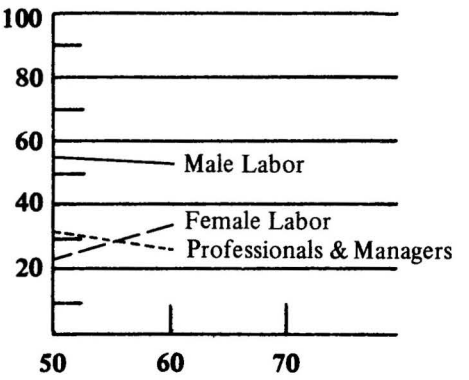


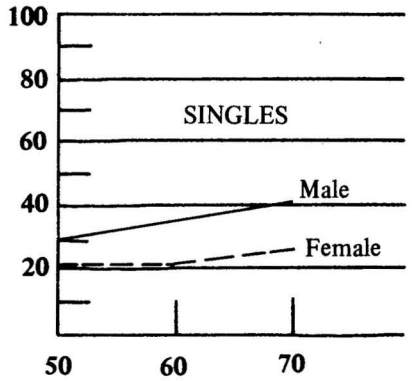
Persons	18428	25521	25240
White	18156	25102	24653
Black	282	393	312
Mexican-American		500	
Housing Units	5429	8429	9493
	50	**60**	**70**

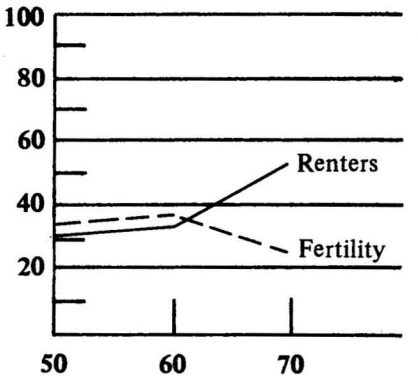


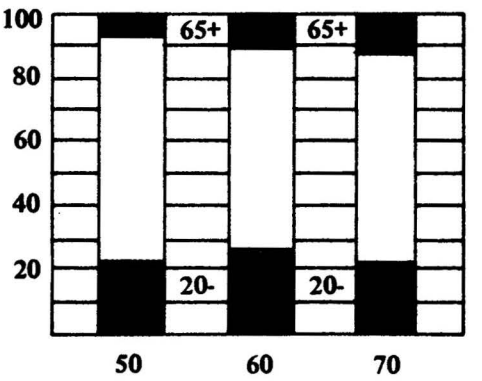


TRACT 2

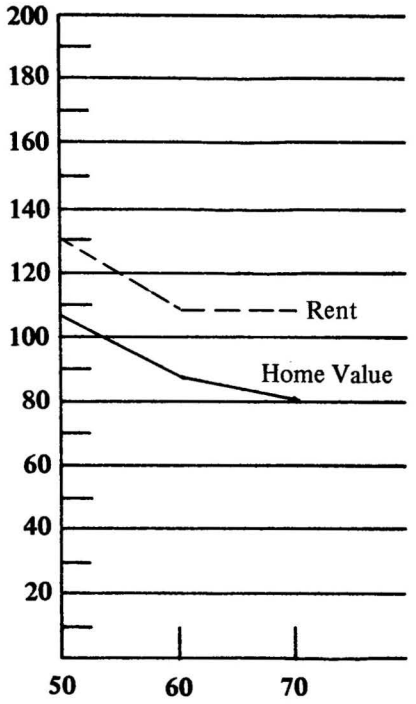


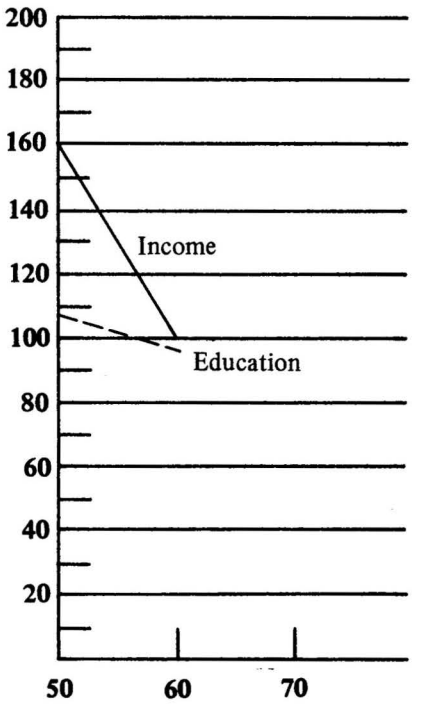




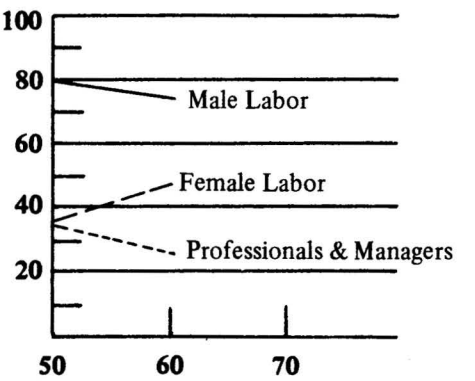


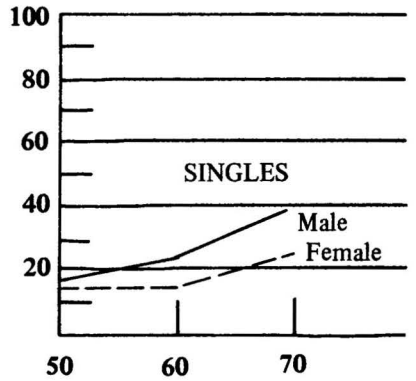
Persons	12242	12375	11670
White	11148	11500	10915
Black	1098	869	620
Mexican-American		441	
Housing Units	2725	3234	3968
	50	**60**	**70**

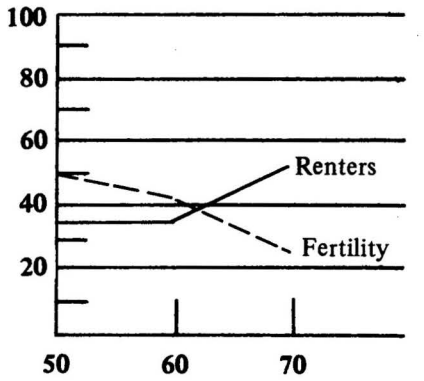


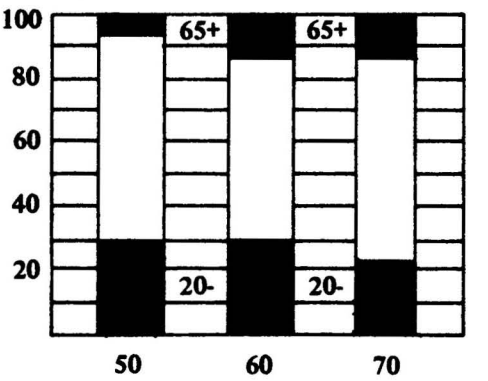


TRACT 3

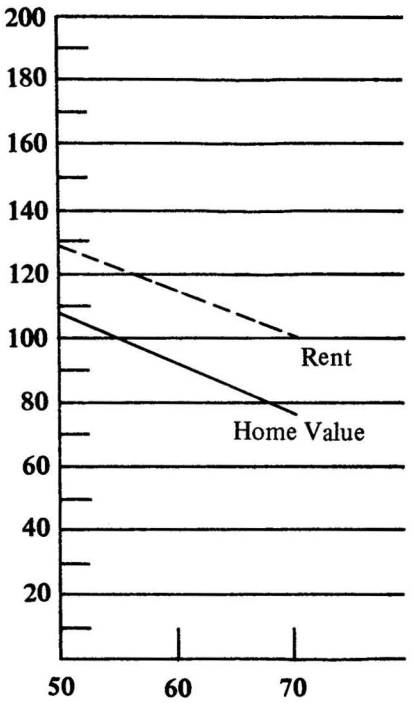


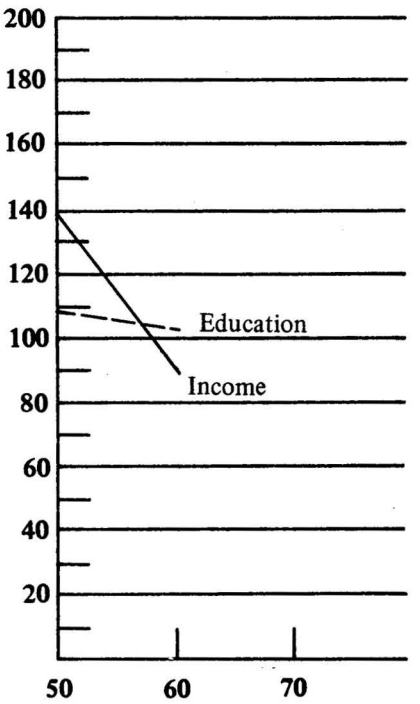




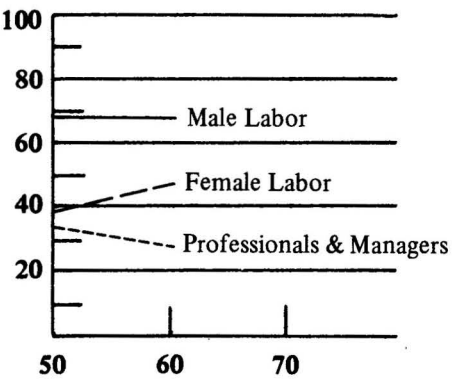


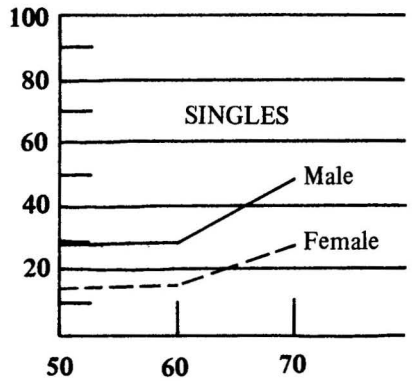
Persons	11257	11764	12937
White	11244	11751	12706
Black	13	1	146
Mexican-American		274	
Housing Units	3713	4330	5935
	50	**60**	**70**

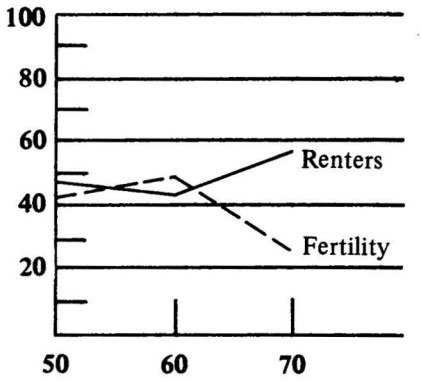


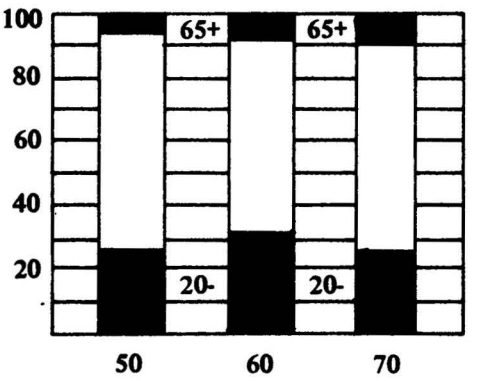


TRACT 4

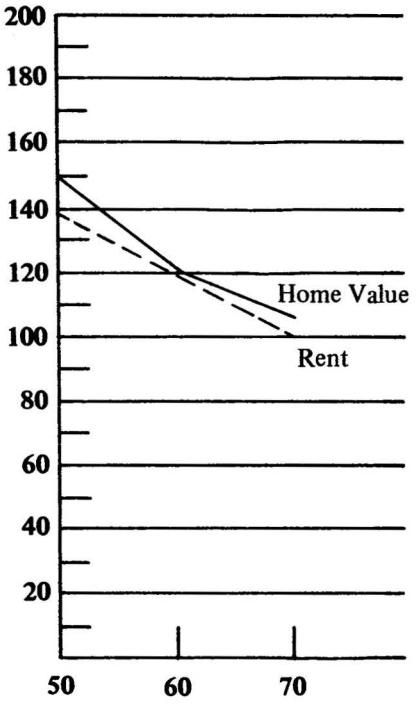


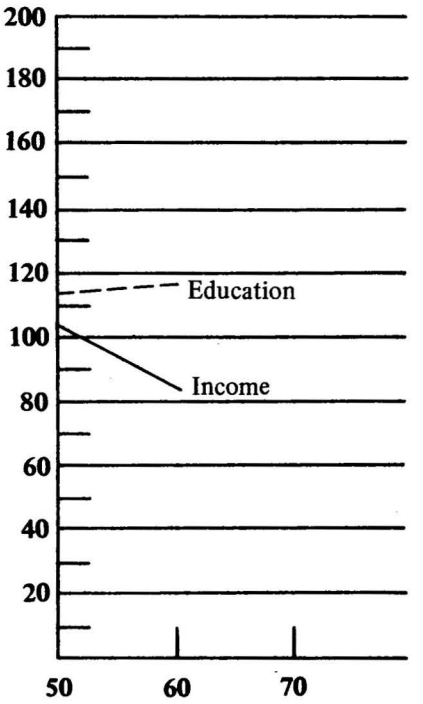




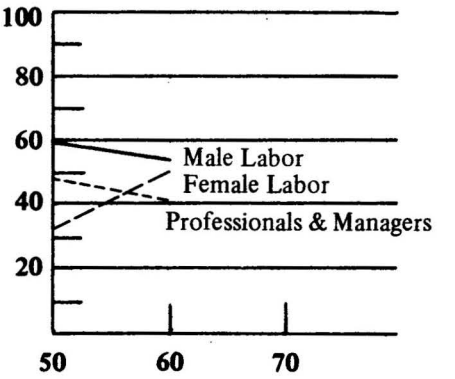


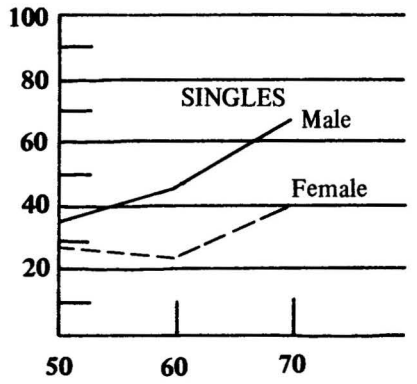
Persons	7614	8474	8443
White	6517	6950	5612
Black	1097	1502	2716
Mexican-American		167	
Housing Units	2538	3001	3126
	50	**60**	**70**

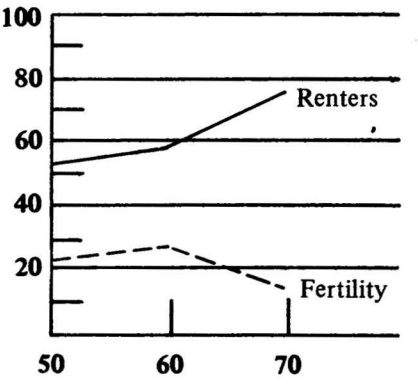


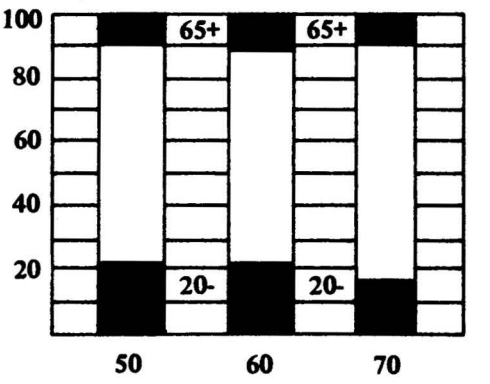


TRACT 5

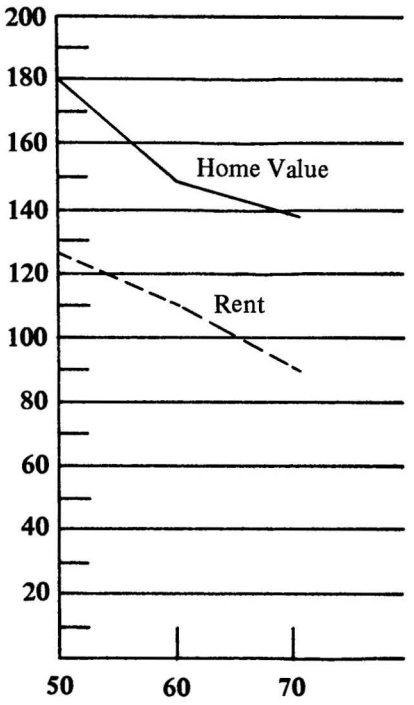


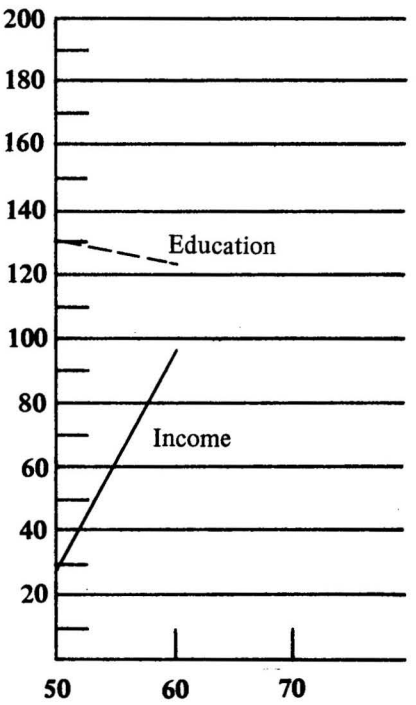




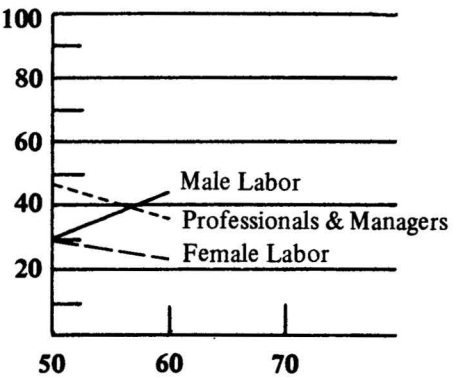


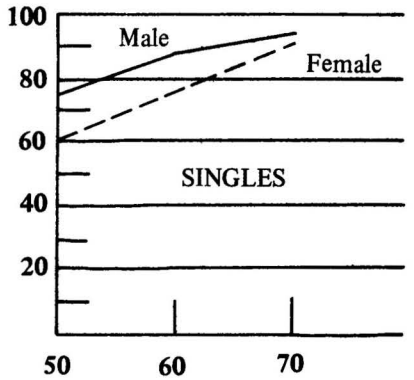
Persons	3698	3507	4112
White	3595	3497	3968
Black	3	2	57
Mexican-American		75	
Housing Units	1273	1524	1990
	50	**60**	**70**

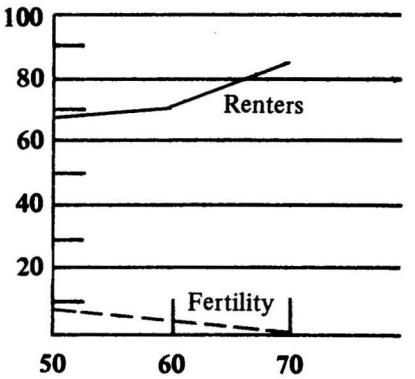


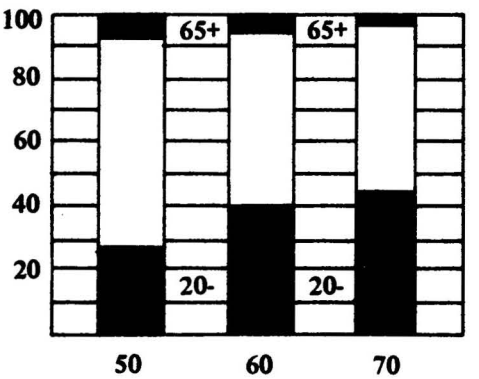


TRACT 6

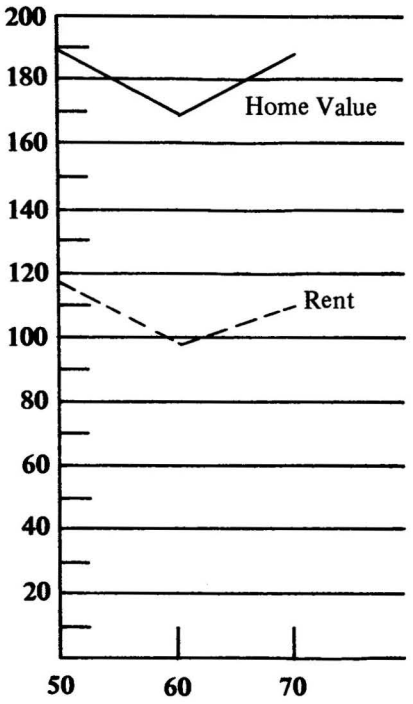


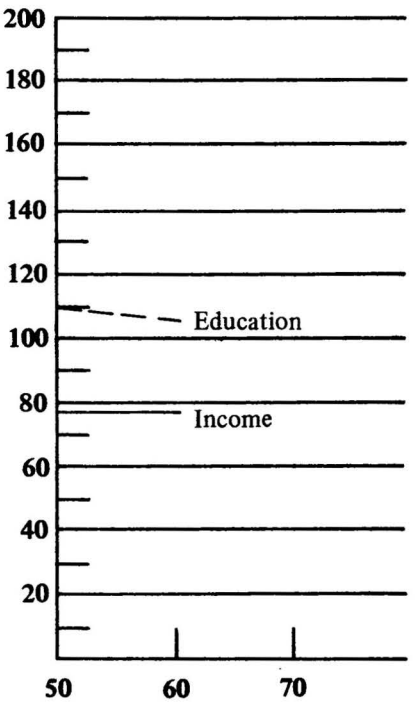




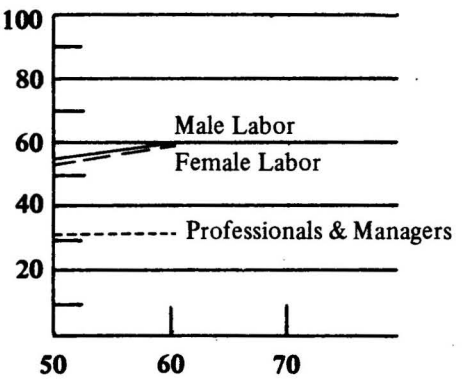


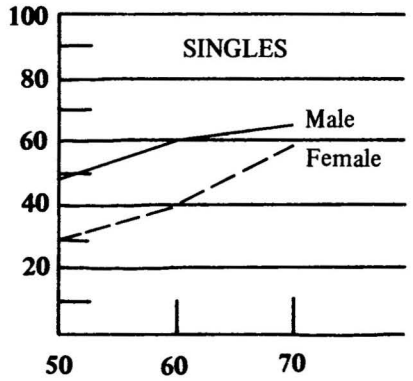
Persons	10386	11072	13700
White	10316	1061	13329
Black	70	80	100
Mexican-American		286	
Housing Units	1816	1933	2221
	50	**60**	**70**

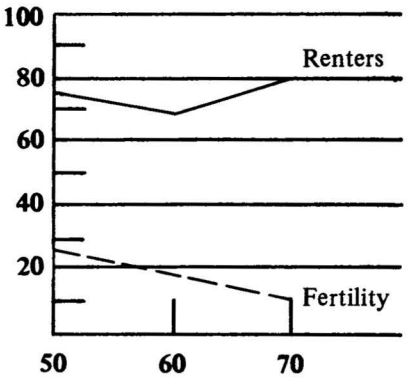


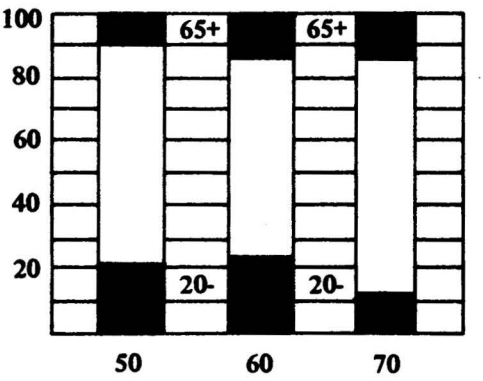


TRACT 7

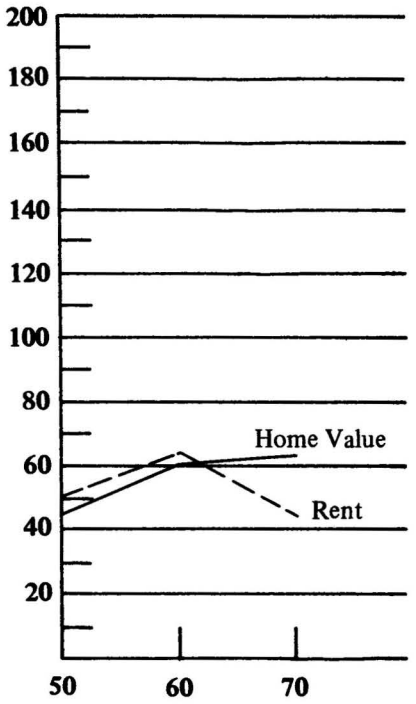


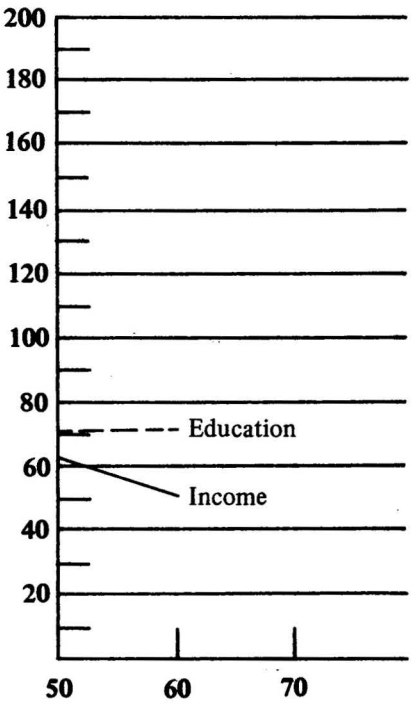




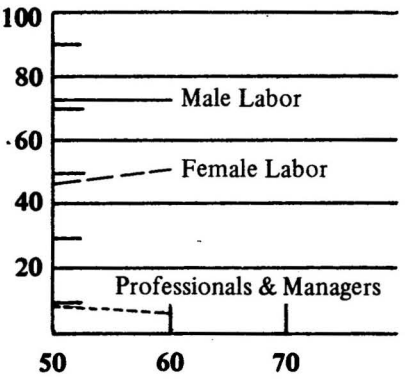


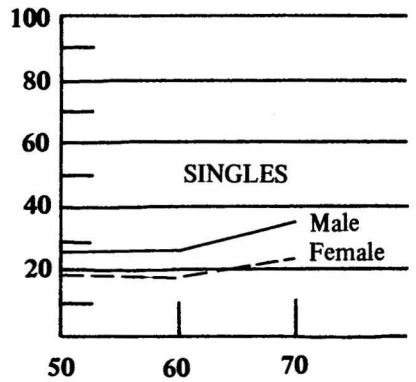
Persons	5787	3594	2714
White	5520	3454	2590
Black	267	118	56
Mexican-American	357	395	
Housing Units	1929	1674	1574
	50	**60**	**70**

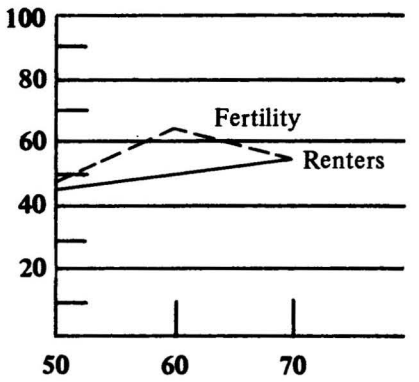


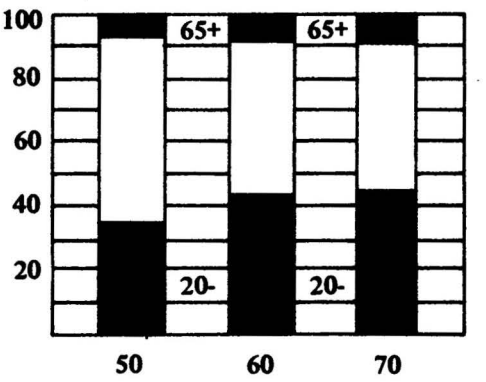


TRACT 8

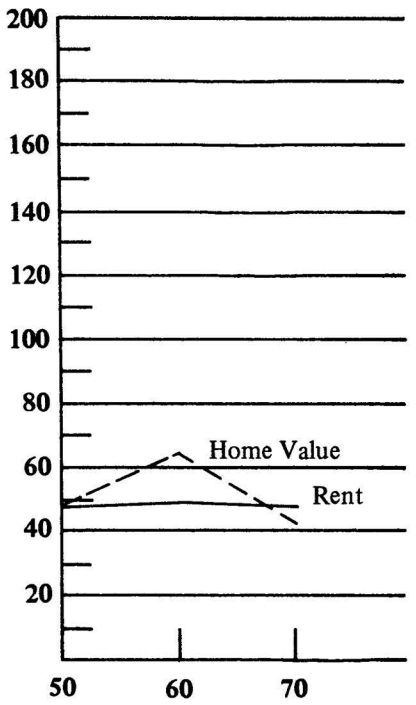


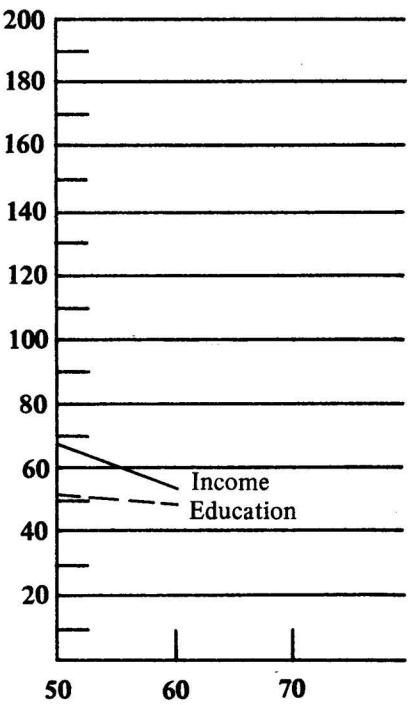




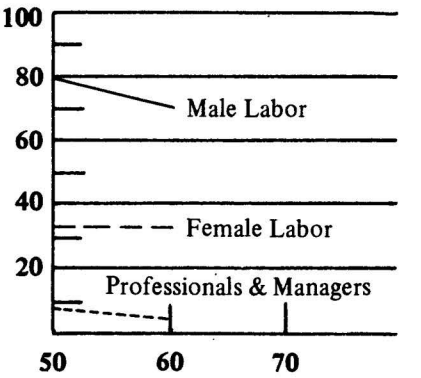


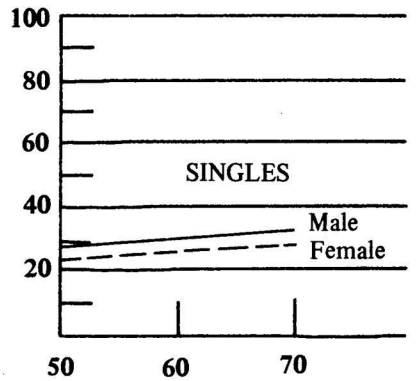
Persons	12734	15764	13361
White	2015	2498	1918
Black	10716	13260	11229
Mexican-American	579	1107	
Housing Units	3532	4550	4134
	50	**60**	**70**

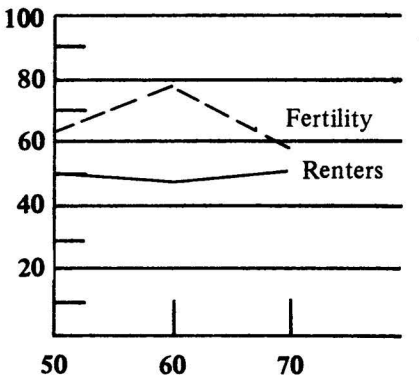


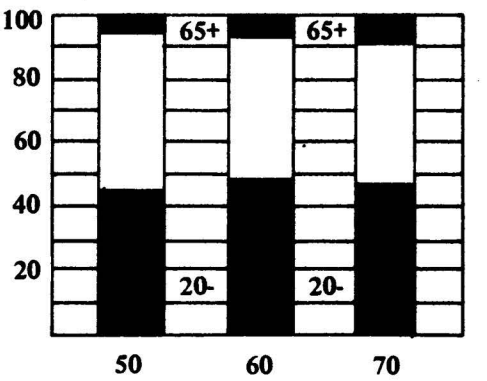


TRACT 9

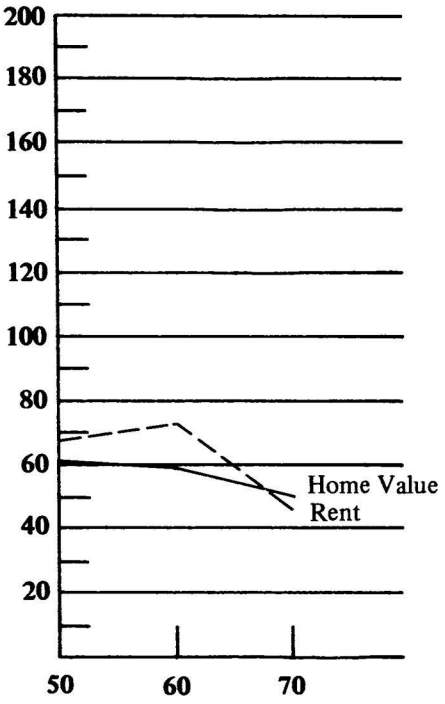


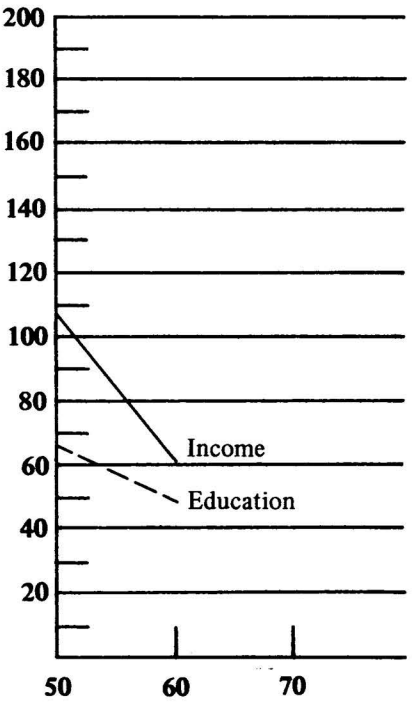




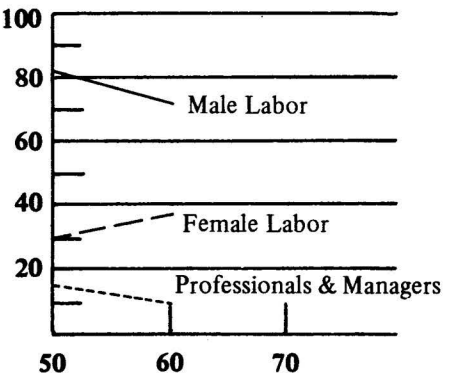


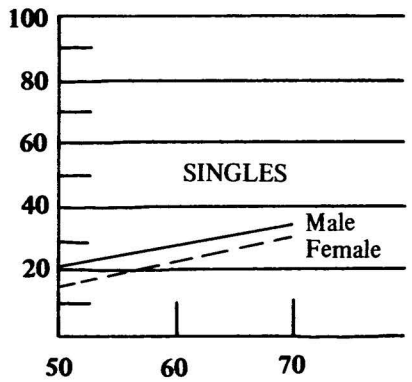
Persons	14687	12962	10229
White	11702	10024	7776
Black	2985	2923	2302
Mexican-American	6696	7252	
Housing Units	3471	3191	2862
	50	**60**	**70**

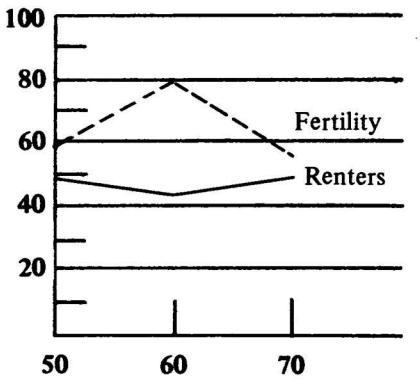


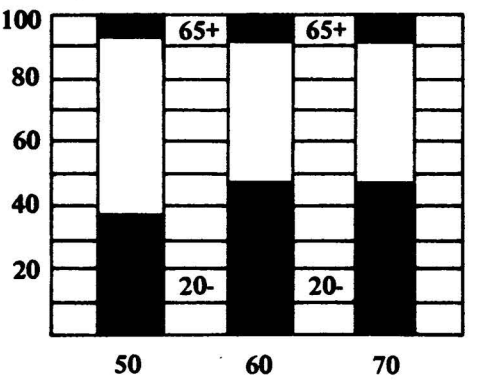


TRACT 10

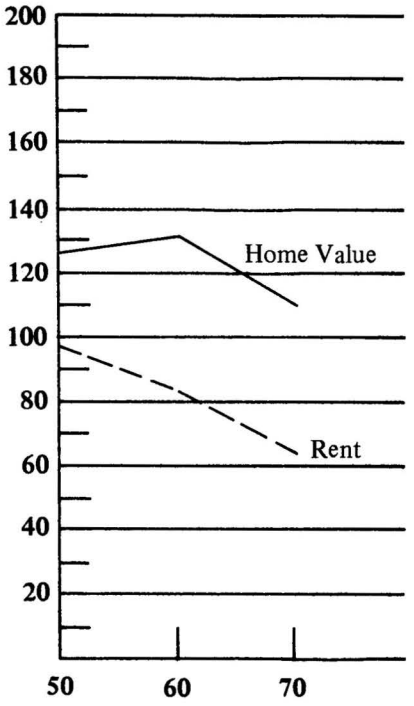


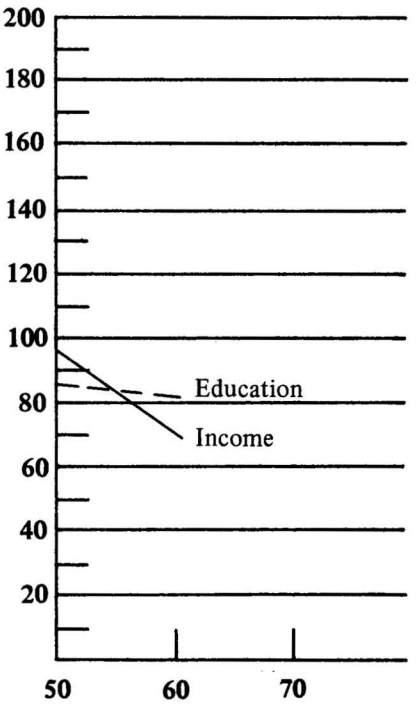




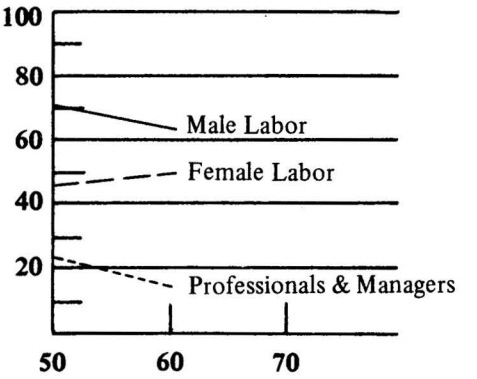


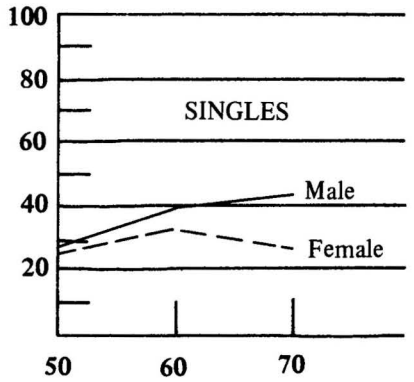
Persons	6502	6756	5463
White	6468	6745	5400
Black	34	1	34
Mexican-American	1637	3997	
Housing Units	1745	1673	1507
	50	**60**	**70**

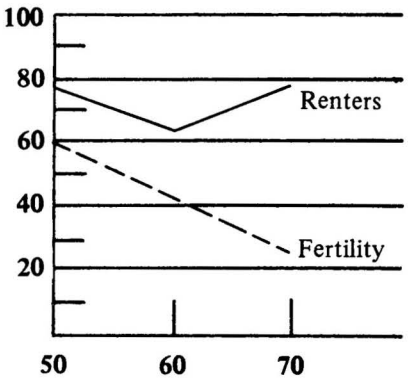


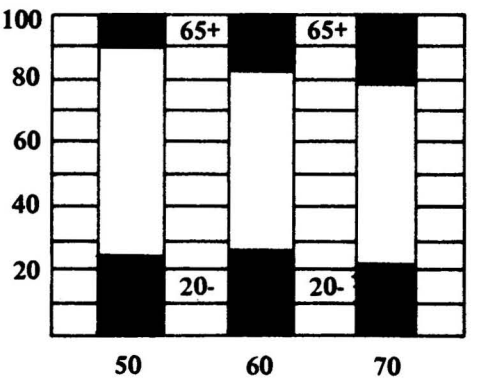


TRACT 11

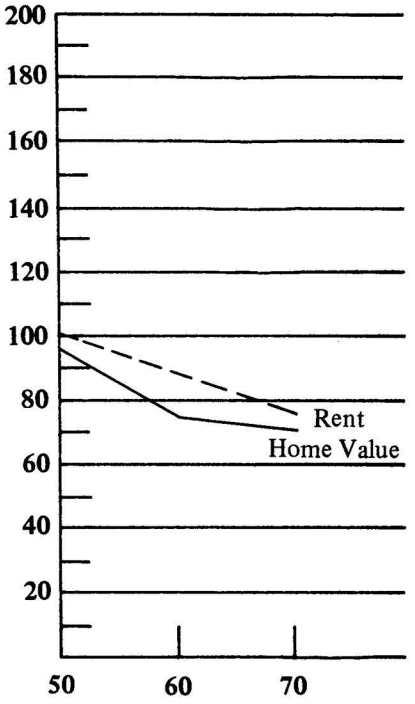


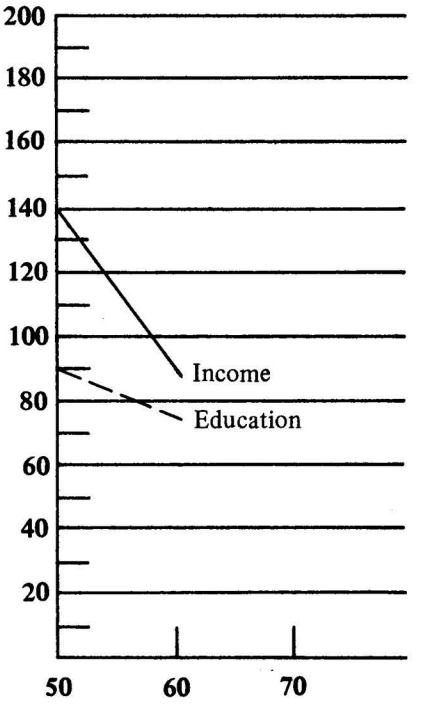




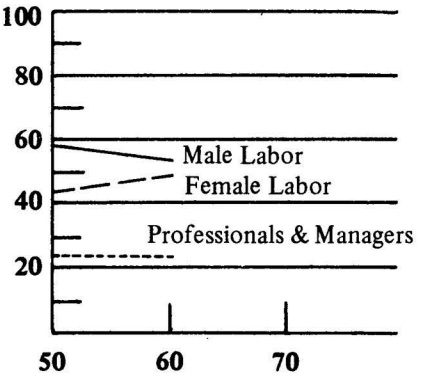


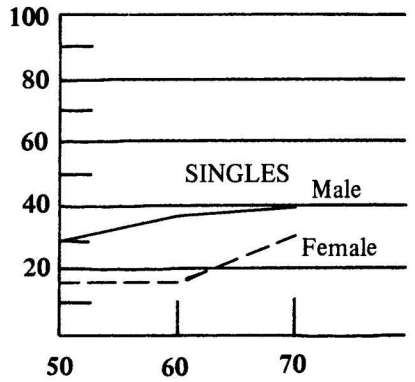
Persons	4982	3196	2307
White	4772	3091	2184
Black	210	104	61
Mexican-American	853	820	
Housing Units	1517	1492	1282
	50	**60**	**70**

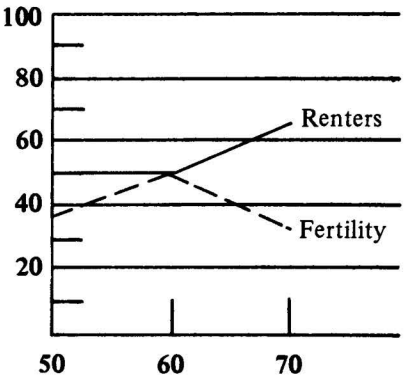


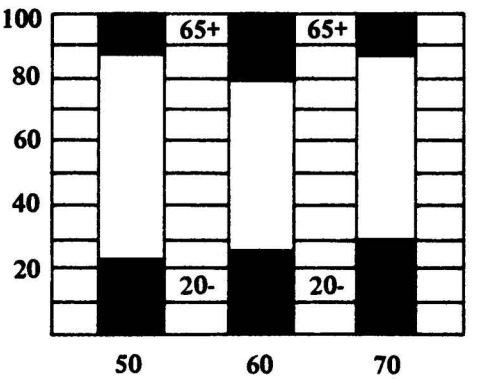


TRACT 12

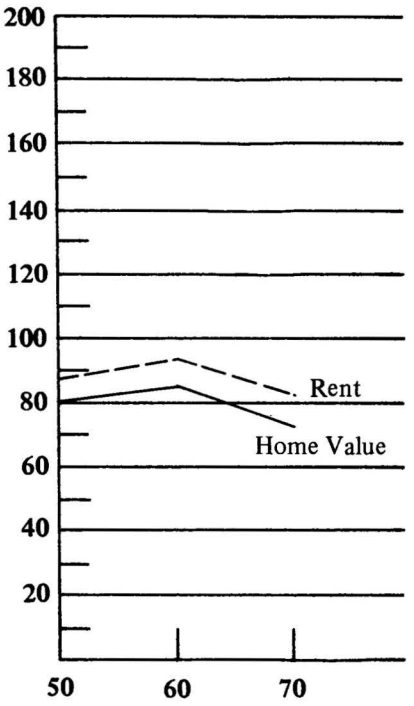


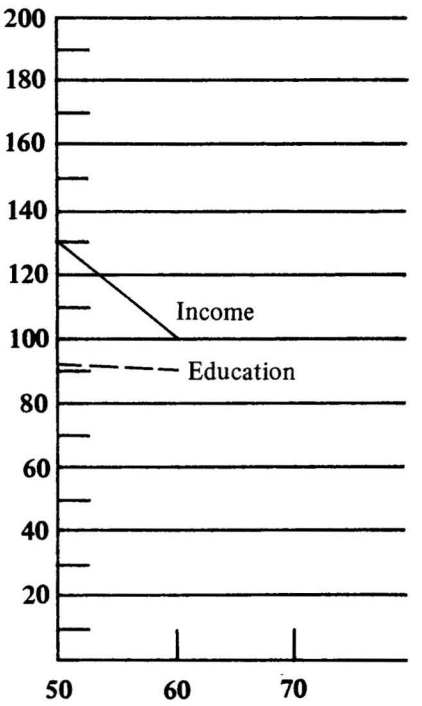






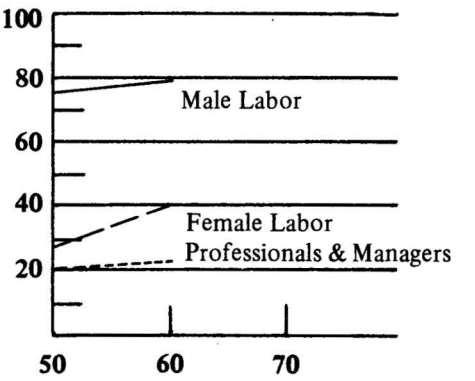
Persons	5116	4546	3492
White	4648	4121	3080
Black	468	421	381
Mexican-American			
Housing Units	1069	1451	1521
	50	**60**	**70**

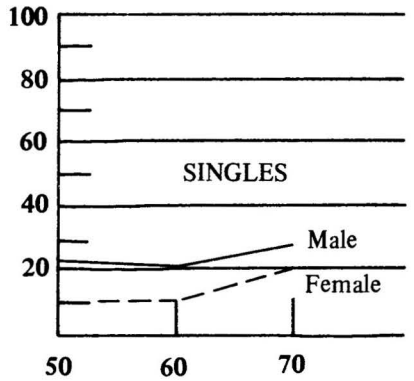


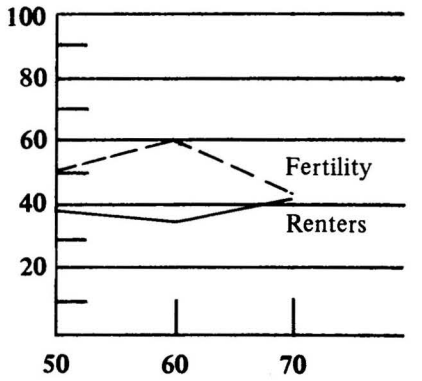


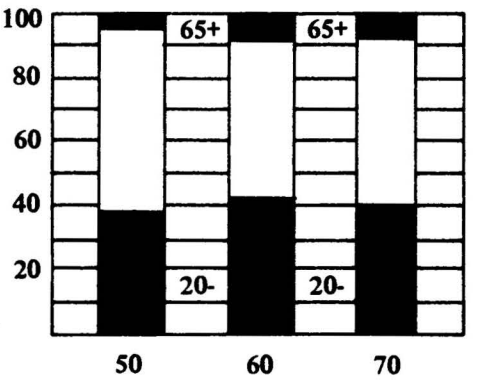
TRACT 13

in 1970 split into Tracts 13.1 & 13.2

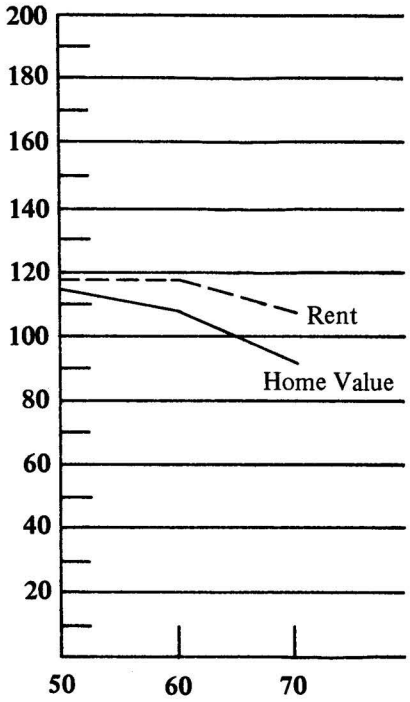


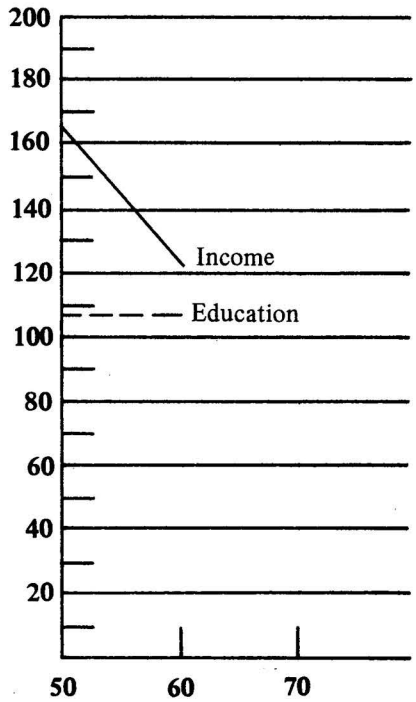




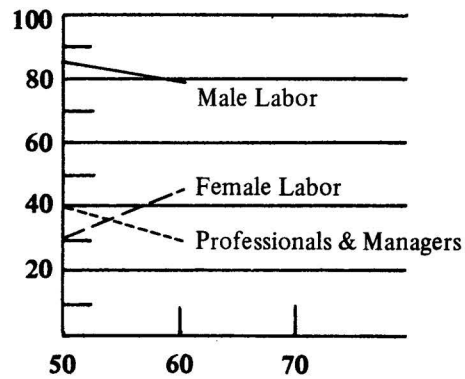


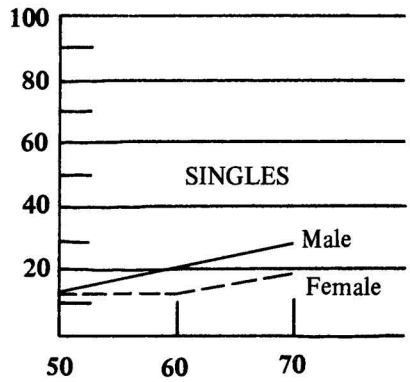
Persons	10216	14485	17936
White	9734	14035	17148
Black	482	442	579
Mexican-American	857	2168	
Housing Units	2986	4440	6011
	50	**60**	**70**

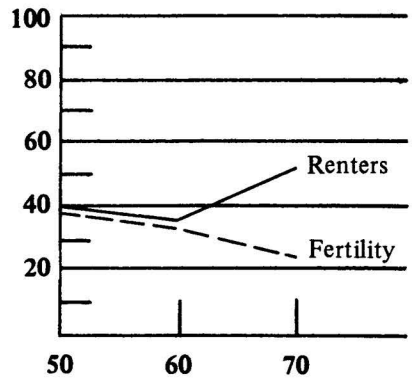


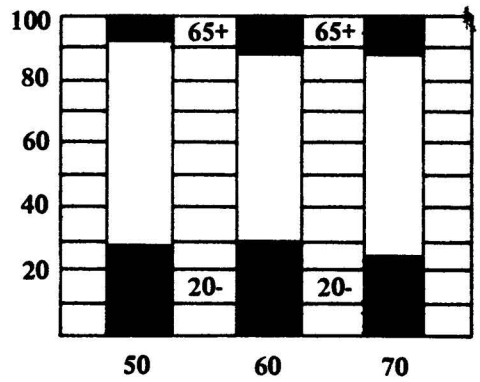


TRACT 14

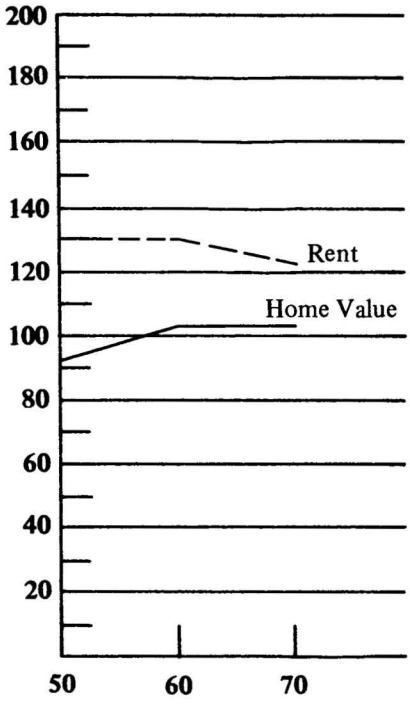


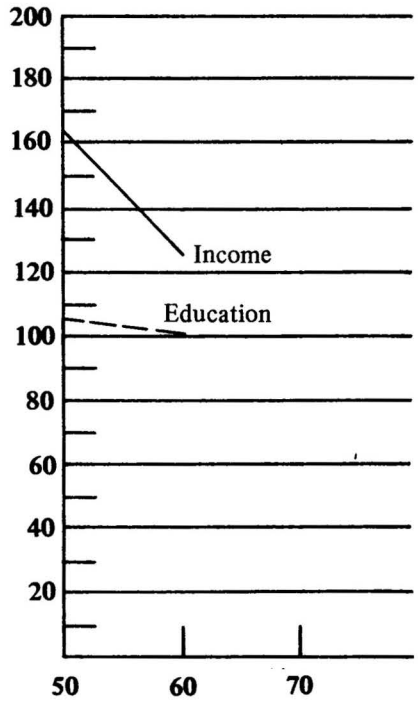






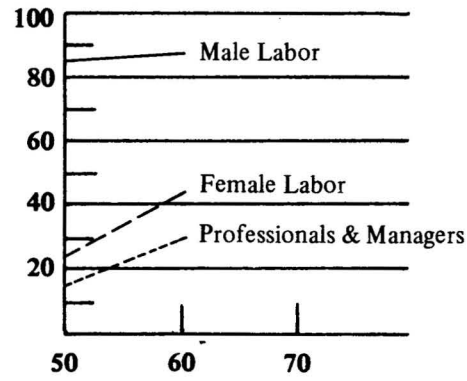
Persons	4897	4295	5740
White	4870	4384	5639
Black	27	2	12
Mexican-American		37	
Housing Units	1698	1701	2435
	50	**60**	**70**

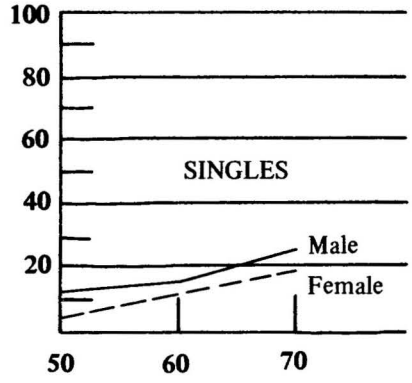


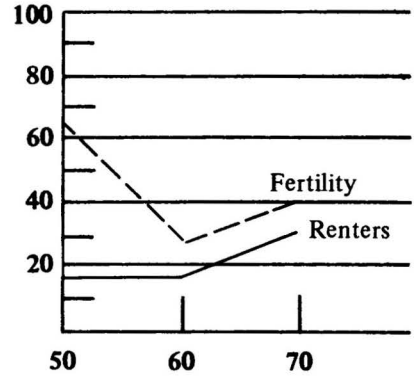


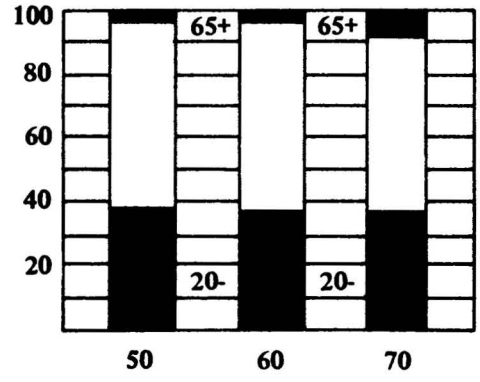
TRACT 15

in 1970 split into
Tracts 15.1, 15.2 & 15.3

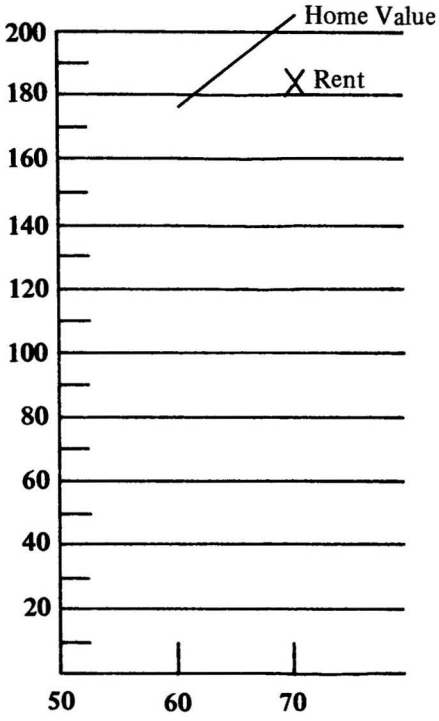


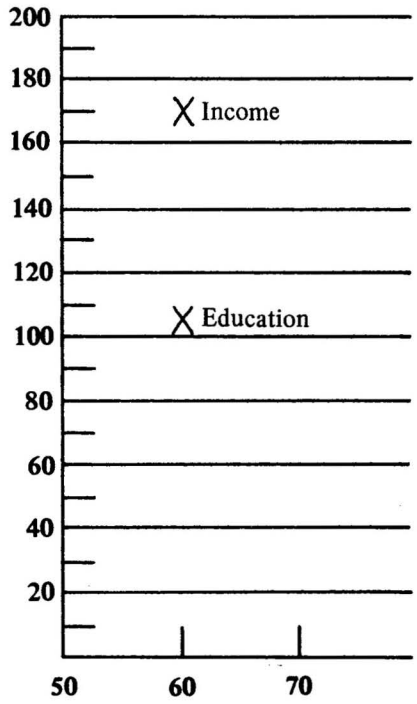






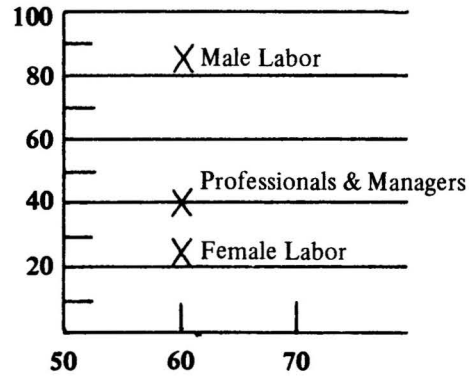
Persons	4013	16494	21917
White	3957	16948	21794
Black	56	42	53
Mexican-American		401	
Housing Units	1309	4924	7062
	50	**60**	**70**

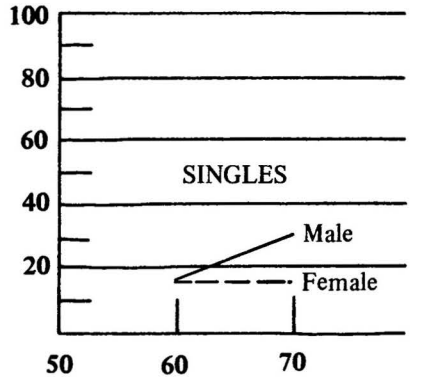


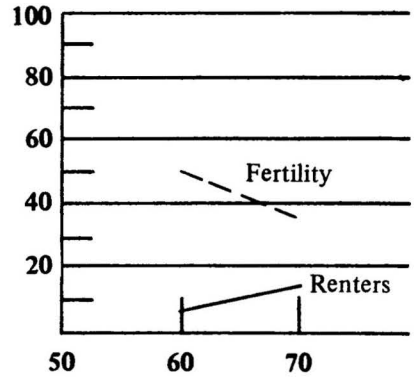


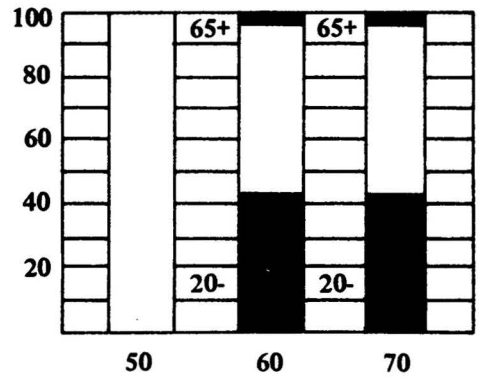
TRACT 17

in 1970 split into Tracts 17.1 & 17.2

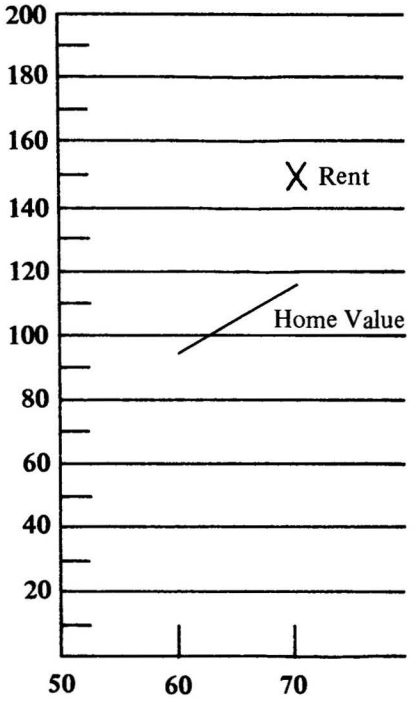


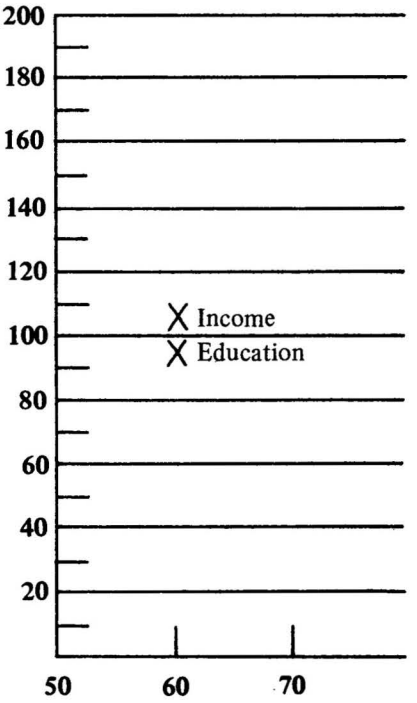






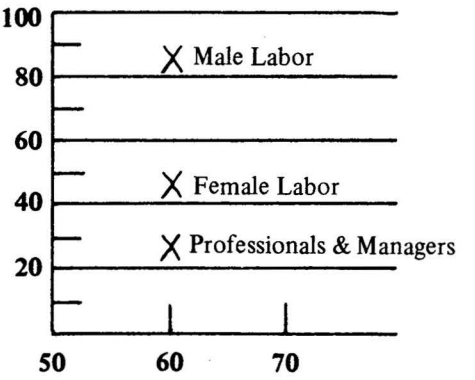
Persons	1024	12001
White	1024	11951
Black	0	13
Mexican-American	16	
Housing Units	305	3629
	50	60	70

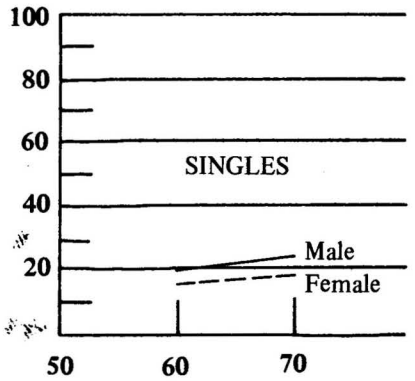


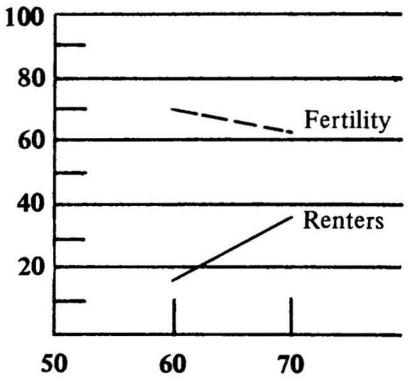


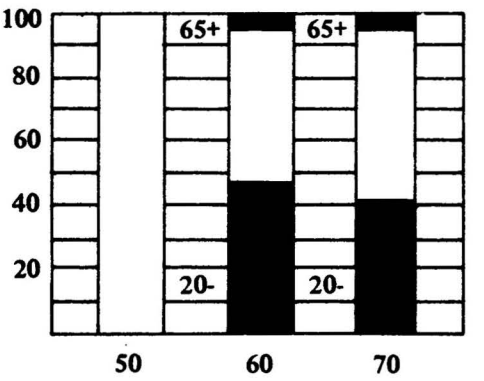
TRACT 18

in 1970 split into
Tracts 18.1, 18.2 & 18.3

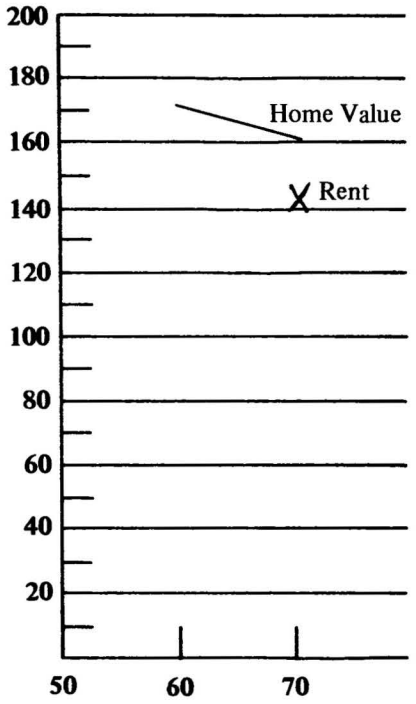


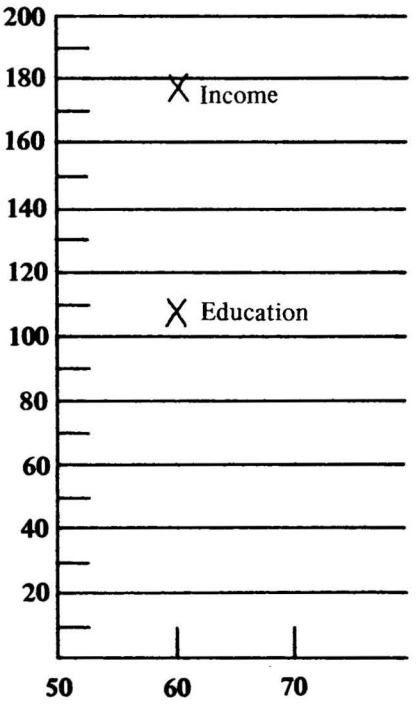




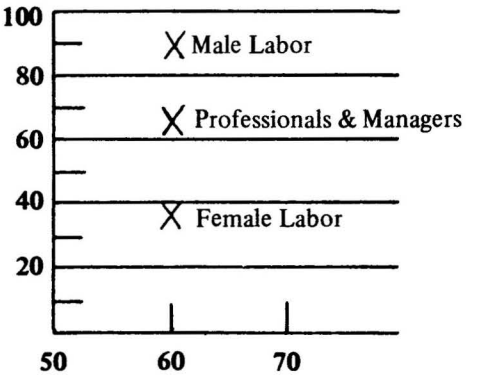


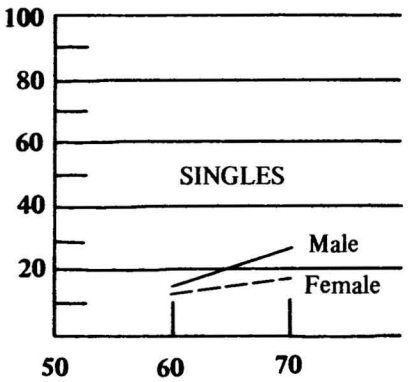
Persons	4993	20916
White	3774	19716
Black	1213	1078
Mexican-American	68	
Housing Units	1477	7516
	50 **60**	**70**

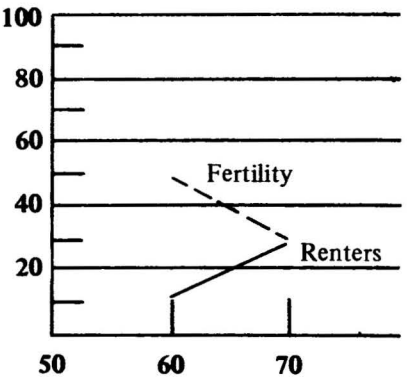


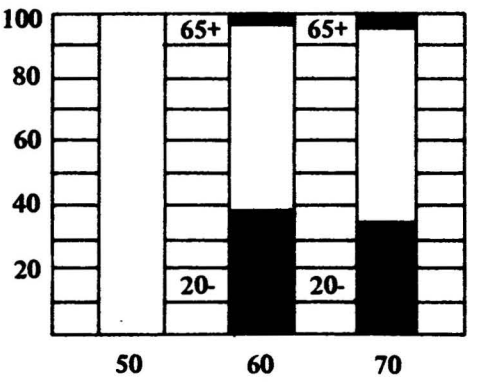


TRACT 19



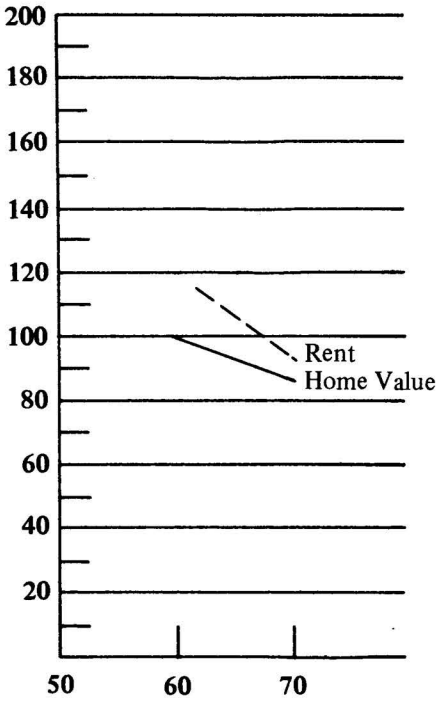


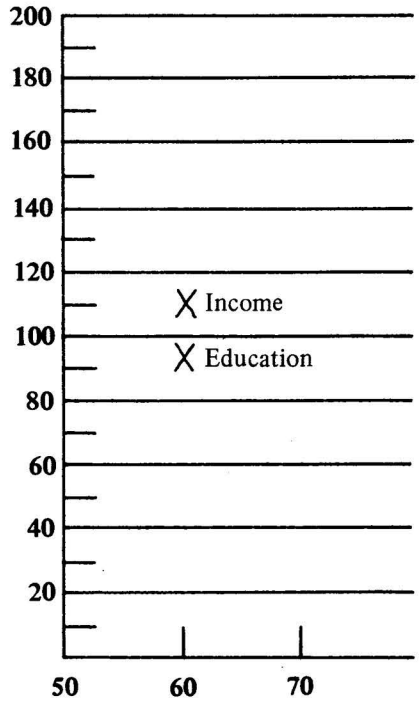




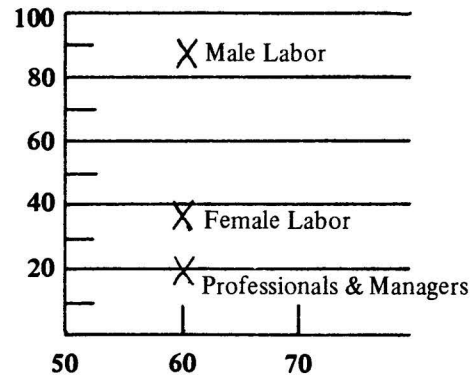
Persons	1312	2790
White	1310	2780
Black	2	0
Mexican-American	39	
Housing Units	422	1027

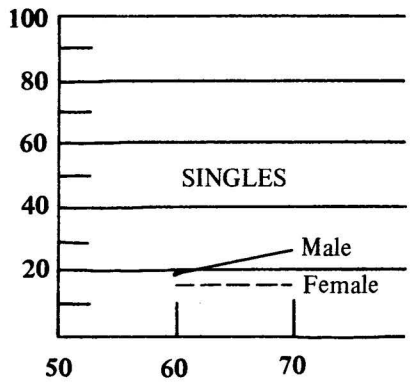
50 60 70

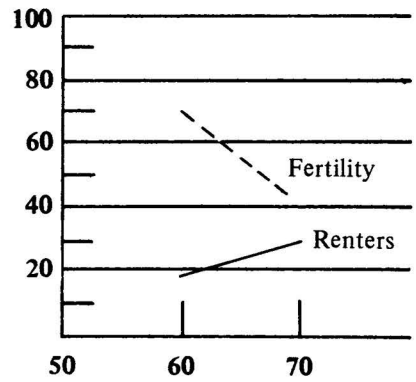


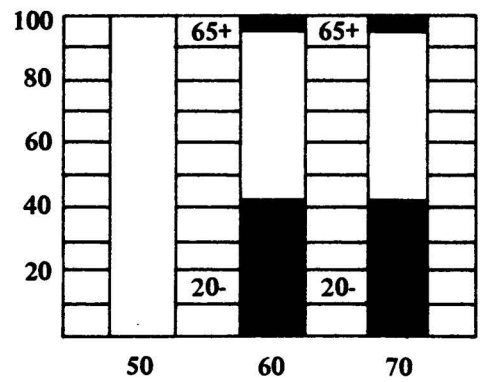


TRACT 20

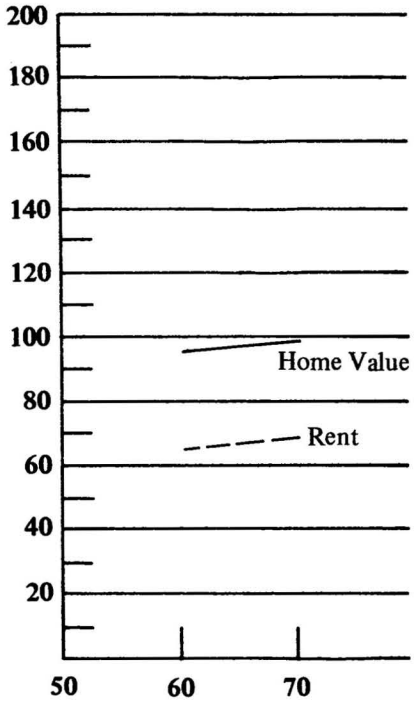


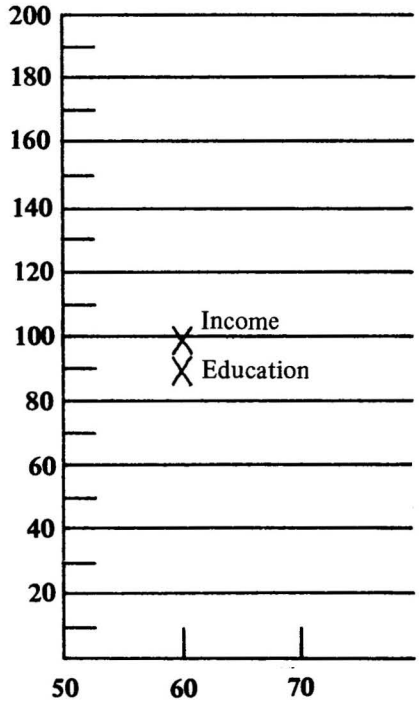






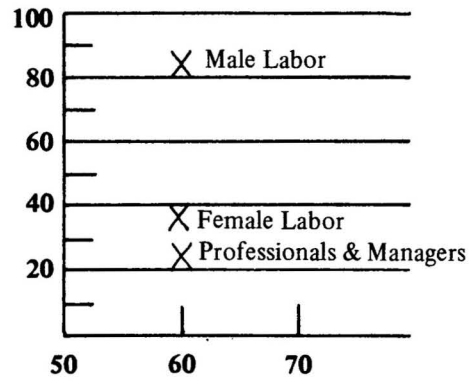
Persons		5326	6804
White		5307	6760
Black		5	14
Mexican-American		130	
Housing Units		1584	2027
	50	**60**	**70**

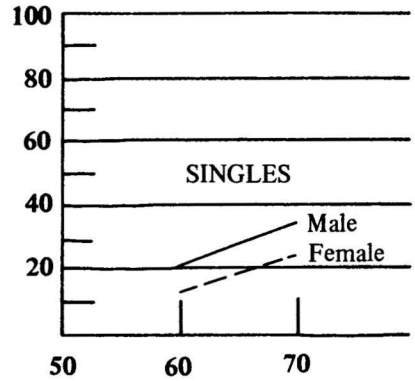


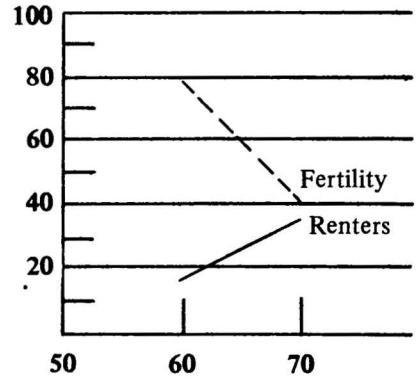


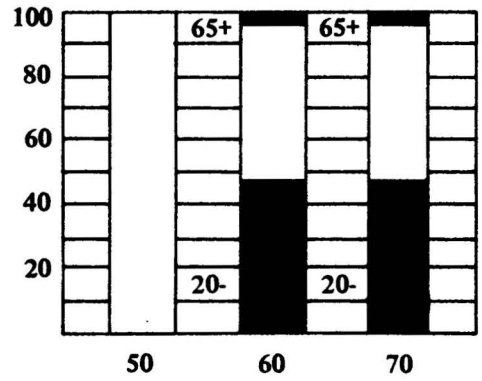
TRACT 21-24

The boundaries of these tracts were so rearranged in 1970 that the area could only be compared as a whole.









Persons	18985	50026
White	15931	39685
Black	3038	10013
Mexican-American	3332	
Housing Units	5167	16379

50 60 70

APPENDIX B

EXCERPT (ABRIDGED) FROM MASTER PLAN

THE LAND USE PLAN

For the most part, planning the pattern of urban land use is the classifying and grouping of uses that are compatible and separating those which are not. In the land use plan, the land is classified as residential, commercial, industrial, or public and semi-public. These, in turn, are grouped into two types of areas, working and living areas.

Zoning is the primary legal device for achieving the goals in the land use plan. As a legal instrument, it is exacting in detail. The land use plan is concerned with use and intensity of development but is generalized in form. Thus, the latter is a prerequisite of the former. No zoning ordinance is likely to be comprehensive in scope and sound in content unless based on a sound land use plan.

A land use plan, the most basic element of the general plan, requires reference to the general objectives to be attained:

1. The organization of the two principal functional parts of the city—the working areas and living areas—clearly separated from but complementary to the other so that the economic, social, and cultural development of the city can be furthered.
2. To improve the city as a place for living—healthful, safe, pleasant, and satisfying by encouraging the development of good housing for all, and by providing adequate open spaces and appropriate public facilities.
3. To encourage the development of an efficient physical environment for commerce and industry with adequate space for each type of activity.
4. To protect, preserve, and enhance the economic, social, cultural, and aesthetic values that establish the desirable quality and unique character of the city.
5. To coordinate the varied pattern of land uses with circulation routes for the efficient intracity and intercity movement of people and goods.
6. To coordinate the growth and development of Austin with that of nearby communities and the surrounding areas in such manner as to enhance each other and permit communitywide interest to prevail.
7. To coordinate the varied pattern of land uses with public and semi-public facilities.

PLANNING FOR RESIDENTIAL AREAS

Current population forecasts indicate that between 350,000 and 400,000 people may reside in the Austin area within the next 20 to 25 years. The future population will require a variety of housing types and neighborhood facilities with appropriate open space being retained. Residential planning requires neighborhoods to be identified and planned for a basic population, provision of adequate streets and public facilities, and preservation of desirable land in the neighborhood for residential use.

In detail, the six principles of neighborhood planning are as follows:

1. Size—from 150 to 1,000 acres with a typical neighborhood being about 500 acres; providing housing for that population for which one elementary school is normally required.
2. Boundaries—neighborhood boundaries should normally be major streets or topographic barriers.
3. Open spaces—parks, recreation areas, and greenbelts (drainageways) should be provided in addition to private yard areas.
4. Institutional sites—schools and other institutions having service areas coinciding with the neighborhood should be grouped in a central location.
5. Shopping facilities—neighborhood shops should be located near major traffic junctions and adjacent to similar facilities in adjoining neighborhoods.
6. Street system—major streets should bypass rather than penetrate the neighborhood. Internal streets should consist of collectors and residential streets with design based on anticipated traffic load.

The densities for residential development are as follows:

Density Standards

	Suburban	Low	Medium	High
Dwelling units per gross acre	0.5 to 1.0	3.0	8.0	15.0

Suburban densities will occur where topography, sewage facilities, and demand dictate large lot sizes. The low density areas are typical urban single-family neighborhoods. Medium density areas will have a considerable number of duplexes and garden apartments. High density areas will be characterized by larger apartments, dormitories, and apartment hotels.

In completing the development of existing neighborhoods and in building new neighborhoods, the following policies are established as guides:

1. Great care should be exercised in the timing, location, and quality of residential development.
2. Existing and future residential areas should be protected against the encroachment of undesirable and unsuitable uses.
3. In areas faced with severe traffic problems, inadequate services, unpaved streets, and limited community facilities, every effort should be made to bring such areas up to standard.
4. Private and public renewal and redevelopment should plan and work toward replacement of substandard housing found in several sections of the city.

PLANNING FOR COMMERCIAL AREAS

Commercial areas provide locations for offices and the sale of goods and services. These activities now occupy less than 5 percent of the land in the urban area, but their effects on the entire urban structure are of major importance.

The early urban population lived within walking distance of the business district, where commerce was clustered in short blocks along the streets for the convenience of the pedestrian. Later the central business district became more specialized, while daily needs were purchased in shops which paralleled the new streetcar lines.

Today, distance to commerical facilities is not as important as the free movement of traffic to them and convenience for the customer upon arrival. Commerical operations designed for the automobile era are grouped together and have convenient off-street parking.

In planning for future commercial land use, the following principles should serve as guides:

1. The amount of land zoned for commercial purposes should be geared to population, purchasing power, and trading area.
2. Commercial areas must have both adequate and properly designed off-street parking.
3. Commercial areas should not encroach on or interfere with adjacent and nearby uses. Scattered strip development should be avoided in favor of the grouping of commercial activities.
4. Commercial areas should be closely related to and designed for the potential traffic-carrying capabilities of adjacent streets, including distribution of traffic, ingress and egress, volumes, and types of traffic.
5. Pedestrians should be able to move freely throughout commercial areas with a minimum of interference from vehicular traffic.
6. Several types of commercial districts should be established so that each contains businesses or services which are compatible with and complementary to one another.
7. The attractive appearance of commercial facilities shall be encouraged, to the end that commercial development shall acquire aesthetic standards in the same way that residential areas and buildings do.

Four types of commercial areas are considered in the land use plan:

1. The Central Business District—the regional shopping, business, financial, and administrative center sometimes called the "CBD".

2. Regional and community shopping districts and centers which provide a rather wide variety of goods and services and tend to serve several neighborhoods or a large section of the city.
3. Neighborhood districts or centers which provide convenience goods and personal services for everyday needs for a neighborhood.
4. Commercial service districts which include contracting, business services, and other uses that are not primarily dependent upon pedestrial traffic and which may tend to be semi-industrial in nature.

In connection with these commercial areas, the following observations are made:

Central Business District—The problems of arrangement, intensity of use, mixture of uses, lack of off-street parking, and heavy traffic render impossible the statement of rigid policies. The extreme complexity of the problem and responsibilities in the CBD require special study jointly by the city, the property owners, and the tenants.

Shopping Districts—The existing shopping districts are faced with problems similar to the CBD—inadequate parking, traffic congestion through the districts, conflicting nonretail land use, and encroachment into residential areas. Special study is required for the improvement of such districts.

Regional and Community Centers—Some existing large centers are faced with problems of future expansion and because all such centers have tended to overload adjacent streets, regulations requiring approval of layout and rules governing ingress and egress for large center development should be enacted.

Neighborhood Centers—The practice of each small- or medium-size subdivision saving a few acres of land for future commercial development, primarily for neighborhood type businesses, reduces the livability of such areas, jeopardizes residential values, and presents practical and legal difficulties to sound zoning. Such centers should be planned according to the principles listed for commercial areas on a neighborhood rather than a subdivision basis.

Commercial Service Districts—The variety of business services, light wholesaling, public service facilities, contracting, and other similar operations requires the establishment of special commercial service areas. These uses are generally compatible with each other but not necessarily with retail, office, and personal service development. Their locational requirements are often more varied than full industrial operations and their demands on utilities and other public facilities, except for adequacy of streets, are usually less than industrial plants. Because of their serious effects on adjacent land uses, especially where truck movements, semi-industrial operations, open storage, and industrial type buildings are involved, regulations requiring approval of layout should be enacted.

PLANNING FOR INDUSTRIAL AREAS

Existing industrial operations in Austin consist primarily of food manufacturing and processing, printing and publishing, furniture manufacturing, stone and concrete products, sheet metal fabrication, trucking and storage concerns, wholesaling, research establishments, bulk plants, lumber and equipment dealers, chemical products, heavy repair services, railroads, and sand, gravel, and stone processing. Because of its many advantages, Austin probably should be attractive to new industries such as research, fabricating plants, electronics manufacturing, precision tool and instrument manufacture, and other "light" industrial operations.

Austin currently has several industrial areas and several scattered industrial developments. The land use plan anticipates the continued development of large industrial areas in the northwest, east, and southeast sections of the city, and limited industrial development is anticipated in the area near the intersection of Lamar and Airport Boulevard, and that many industrial plants in the downtown area will find it desirable to move to outlying locations in the future.

Present industrial operations occupy that 400 acres of land and related "heavy" commercial uses about 100 acres. The plan envisions that about 3,400 acres will be needed to meet the requirements for industrial growth.

The following principles and factors were applied to locating the industrial areas on the land use map:

1. The existence of properly developed industrial plants in several of the areas.
2. The availability of level land in large sites.
3. Potential for development of an industrial street system connected directly to the major street system.
4. Potential for economic extension of utilities.
5. Availability of rail, air, and other transportation facilities.
6. Elimination of intermixed residential development and protection of undeveloped areas from future residential encroachment.
7. Protection of residential and commercial areas by topography and buffer areas.
8. Accessibility to the CDB, other major commercial areas, and to governmental centers.
9. Accessibility to residential areas for employees.

Careful analysis will be made of potential industrial development of each area and the facilities and services required and feasible.

Proper industrial development should be encouraged by:

1. Industrial subdivision regulations.
2. Zoning which protects industrial land from usurpation by residential and commercial uses and provides performance standards for industries rather than arbitrary definitions.
3. Land use and building controls in the southeast and northwest industrial areas outside the city.
4. Redevelopment of industrial areas where scattered residences, small parcels, and inadequate streets inhibit industrial development.
5. Cooperative programs between the city and interested civic organizations for attracting industries.

PLANNING FOR PUBLIC LANDS

Since Austin is the site of the State Capitol, The University of Texas, a variety of state institutions, federal and military facilities, and a number of semi-public institutions, public and semi-public land and uses are of major importance to the city.

The churches, the State Capitol, The University of Texas, and the many other state, federal, and semi-public institutions are held in great esteem by the people of Austin and Texas. Their value goes considerably beyond economic yardsticks and the maintenance of the beauty of existing buildings and the development of compatible new buildings are of prime importance.

Large areas of vacant land in a city impede its proper development by increasing the cost of providing community services for developed lands; by failing to produce the proportionate share of the public revenue required to serve vacant lands; and by retarding the highest and best use of adjacent and nearby properties resulting from uncertainty as to ultimate development of vacant land.

Because disproportionate amounts of vacant land exist in the city limits, coordinated action is required to encourage the logical and proper development of the vacant land without undue delay.

APPENDIX C

CITY CHARTER PROVISIONS FOR PLANNING COMMISSION AND MASTER PLAN

ARTICLE X–PLANNING (ABRIDGED)

Section 1. THE PLANNING COMMISSION: ORGANIZATION. There shall be established a Planning Commission which shall consist of nine citizens of the City of Austin who own real property within said city. The city manager The chairman of the Zoning Board of Adjustment, the director of Public Works, and the president of the Board of Trustees of the Austin Independent School District shall serve as ex officio members.

Section 2. THE PLANNING COMMISSION: POWERS AND DUTIES. The Planning Commission shall:

1. Make and amend a master plan for the physical development of the city;
2. Recommend to the council approval or disapproval of proposed changes in the zoning plan;
3. Exercise control over platting or subdividing land within the corporate limits of the city and within an area extending five miles beyond the city;
4. Submit annually to the city manager, not less than 90 days prior to the beginning of the budget year, a list of recommended capital improvements which in the opinion of the commission are necessary or desirable during the forthcoming five-year period;
5. Require information from the other departments of the city government in relation to its work;
6. Within its budget appropriation, contract with city planners and other consultants for such services as it may require.

Section 4. THE MASTER PLAN. The master plan for the physical development of the City of Austin shall contain the commission's recommendations for growth, development, and beautification of the city.

Section 5. LEGAL EFFECT OF MASTER PLAN. Upon adoption of the master plan by the council, no subdivision, street, park nor any public way, ground or space, public building or structure, and no public utility, whether publicly or privately owned which is in conflict with the master plan, shall be constructed or authorized by the city until and unless the location and extent thereof shall have been submitted to and approved by the commission. The widening, narrowing, relocating, vacating, or change in the use of any street, river, or watercourse, or other public way or ground, or the sale of any public building or real property shall be subject to similar submission and approval, and failure to approve may be similarly overruled by the council.

APPENDIX D

CIVIL STATUTES OF TEXAS

Art. 969b. Acquisition of property for certain purposes; exercise of eminent domain or police powers, etc; procedure; relocation expenses

Authorization; modes and purposes of acquisition; procedure; relocation expenses

Section 1. Any incorporated city or town in this State incorporated under general or special law or authorized to have or having a Charter under the provisions of the Constitution of Texas or the Statutes shall have and is hereby granted the power separately or jointly with any other city, town, cities or towns, or jointly with any other city, town, cities or towns and other governmental entity, to receive and acquire through gift or dedication and to acquire by purchase without condemnation or by condemnation, if within the county where said governmental entity, city, town, cities or towns are located, any property in this State located inside or outside of the corporate limits of such city or town, for the following purposes, which are declared to be public purposes: parks, hospitals, the extension, improvement and enlargement of its water system, including riparian rights, water supply reservoirs, standpipes, watersheds, dams, the laying, building, maintenance and construction of water mains and the laying, erection, establishment or maintenance of any necessary appurtenances or facilities which will furnish to the inhabitants of the city an abundant supply of wholesome water; for sewage plants and systems; rights of way for water and sewer lines; play grounds, airports, and landing fields, incinerators, garbage disposal plants, streets, boulevards and alleys or other public ways, and any right of way needed in connection with any property used for purpose hereinabove named, and to exercise Police Power within the territory so acquired.

The procedure to be followed in condemnation proceeding hereunder and authorized herein shall be in accordance with the provisions of the State law with reference to eminent domain. The provisions of Title 52 of the Revised Civil Statutes of Texas, 1925,[1] shall apply to such proceedings, or such proceedings may be under any other State law now in existence or that hereafter may be passed governing and relating to the condemnation of land for public purposes by a city.

In the exercise of any authority granted by this Act to cities, towns and other governmental entities, in the event it becomes necessary in the exercise of the powers of eminent domain or Police Power, or any other power to relocate, raise, lower, reroute or change the grade or alter the construction of any railroad, electric transmission, telegraph or telephone line, conduit, pole, property or facility, or pipeline, outside of the corporate limits of any incorporated city or town, all such relocation, raising, lowering, rerouting, or change in grade or alteration of construction shall be accomplished at the sole expense of the city, town, cities, or towns, or other governmental entity; provided, that nothing contained herein shall affect the existing lawful rights of any city or town to control the streets, alleys, public ways and other public grounds within its corporate limits. The term "sole expense" shall mean the actual cost of such relocation, raising, lowering, rerouting, or change in grade or alteration of construction, in providing comparable replacement without enhancement of such facilities, after deducting therefrom the net salvage value derived from the old facility.

Sec. 1 amended by Acts 1969, 61st Leg., p. 1604, ch. 496, § 1, emerg. eff. June 10, 1969.

---

[1] Article 3264 et. seq.

APPENDIX E

MUNICIPAL ANNEXATION ACT

ARTICLE 970a
VERNON'S TEXAS CIVIL STATUTES
(EXCERPT ABRIDGED)

Extension of subdivision ordinance within the extraterritorial jurisdiction:

Section 4. The governing body of any city may extend by ordinance to all of the area under its extraterritorial jurisdiction the application of such city's ordinance establishing rules and regulations governing plats and the subdivision of land; provided, that any violation of any provision of any such ordinance outside the corporate limits of the city, but within such city's extraterritorial jurisdiction, shall not constitute a misdemeanor under such ordinance nor shall any fine provided for in such ordinance be applicable to a violation within such extraterritorial jurisdiction.

Industrial Districts

Section 5. The governing body of any city shall have the right, power, and authority to designate any part of the area located in its extraterritorial jurisdiction as an industrial district, as the term is customarily used, and to treat with such area from time to time as such governing body may deem to be in the best interest of the city. Included in such rights and powers of the governing body of any city is the permissive right and power to enter into contracts or agreements with the owner or owners of land in such industrial district to guarantee the continuation of the extraterritorial status of such districts, and its immunity from annexation by the city for a period of time not to exceed seven (7) years, and upon such other terms and considerations as the parties might deem appropriate.

Limitations on Creation of Political Subdivisions Within the Extraterritorial Jurisdiction

Section 8. A. No city may be incorporated within the area of the extraterritorial jurisdiction of any city without the written consent of the governing body of such city. Should such governing body refuse to grant permission for the incorporation of such proposed city, a majority of the resident voters, if any, in the territory of such proposed city and the owners of fifty percent (50%) or more of the land in such proposed city may petition the governing body of such city and request annexation by such city.

B. No political subdivision having as one of its purposes the supplying of fresh water for domestic or commercial uses or the furnishing of sanitary sewer services may be created within the area of the extraterritorial jurisdiction of any city without the written consent of such city.

APPENDIX F

EXCERPT FROM SUBDIVISION ORDINANCE

Section 23.2 Scope of chapter.

(a) This chapter shall be known as the "Subdivision Ordinance" of the city.

(b) No person shall create a subdivision of land within the corporate limits of the city or within five miles thereof without complying with the provisions of this chapter. All plats and subdivisions of any such land shall conform to the rules and regulations set forth in this chapter. (9-10-53, 2.)

Section 23.8 When public utilities to be connected.

Unless and until a plat of an urban subdivision has been approved, and the subdivider has constructed the streets, curbs, gutters, paving, utilities and drainage facilities therein, in the manner provided in this chapter, it shall be unlawful for any official of the city to serve or connect any public utilities, owned, controlled, or distributed by the city to any land, or any part thereof, covered by a plat, or to the owners or purchasers of the land, or any part thereof. (9-10-53, 28.)

Section 23.9 Enforcement of chapter.

In addition to any other remedy provided by law, the city and its officers shall have the right to enjoin any violation of this chapter by injunction issued by a court of competent jurisdiction. (9-10-53, 33.)

ARTICLE III. LAYOUT REQUIREMENTS

Section 23.21 Conformity with master plan.

Subdivisions shall conform to the master plan of the city.

APPENDIX G

PLANNED UNIT DEVELOPMENT

January 5, 1971

EXPLANATORY OUTLINE OF THE PROPOSED PLANNED UNIT DEVELOPMENT ORDINANCE (abridged)

Land Planning Committee, Austin Association of Home Builders

I. INTENT OF THE ORDINANCE

The planned unit development ordinance is intended to accommodate the changing life style of Austin residents by fully utilizing the ingenuity and design capabilities of builders, architects, designers, site planners, and developers. A planned unit development (PUD) will be in keeping with the overall land use, intensity, and open space of the master plan while authorizing departure from the strict application of use, setback, height, and minimum lot size of current requirements. This ordinance will permit such flexibilities and will provide criteria for planned unit developments.

II. DEFINITION OF PUD

For the purposes of this ordinance, a planned unit development (PUD) is a development of land:

(a) which is under unified control and which is planned and developed as a whole in a single development operation or programmed series of development;

(b) which includes streets, utilities, lots, or building sites, and which indicates all structures and their relationship to each other and to adjacent uses and improvements, as well as to open spaces;

(c) which provides a program of maintenance and operation of all such areas, improvements, and facilities for the common use of the occupants of the PUD and/or others, and which also provides for a program of maintenance and operation of all necessary services that the City of Austin does not ordinarily provide, maintain, or operate;

(d) which may be established within the city limits or within the city's extraterritorial jurisdiction, upon any tract held by a single owner or held under unified control; and

(e) which is in general conformity and harmony with the master plan of the city, and which is in conformity with the permitted uses outlined below.

III. PERMITTED USES

Uses permitted in a planned unit development may include:

(a) dwelling units in detached, semi-detached, attached, or multifamily structures, or any combination thereof; and

(b) nonresidential uses such as religious, cultural, recreational, commercial, and industrial uses compatibly and harmoniously incorporated into the unitary design of the PUD.

IV. SUBMISSION OF PLANS

The developer of a PUD shall submit a plan of development to the Planning Commission through the City Planning Department. The development plan of the PUD shall meet the standards of professional land planning practices and shall be in compliance with the provisions of this ordinance. The development plan shall include the following information upon submission:

(a) date, scale, north point, title, name of owner, and name of person preparing plan;

(b) location of existing boundary lines and dimensions of the tract;

(c) centerline of existing water courses, drainage features, and location and size of existing and proposed streets and alleys;

(d) location and size to the nearest one-half foot of all proposed buildings and land improvements;

(e) clear designation of areas reserved for off-street parking and for off-street loading; the location and size of points of ingress and egress; and the ratio of parking space to floor space;

(f) location, size, and legal description of the PUD land involved, and the general use and character of adjacent properties within 200 feet;

(g) the dwelling intensity of any residential areas, lot sizes, and locations within the PUD; lot sizes and locations of any other uses;

(h) areas proposed to be conveyed, dedicated, or reserved for parks, parkways, playgrounds, school sites, public buildings, and similar public and semi-public uses;

(i) a general plan for the location of all public utilities; and

(j) a copy of all agreements, provisions, or covenants which govern the use, maintenance, and continued protection of the planned unit development and any of its common open space.

APPENDIX H

SENATE BILL 382 (EXCERPT)*

PROPOSED EXTENSION OF CITY ORDINANCES

Section 1. Section 4, Article I, Chapter 160, Acts of the 58th Legislature, Regular Session, 1963, as amended (Section 4, Article 970a, Vernon's Texas Civil Statutes), is amended to read as follows:

Section 4. EXTENSION OF MUNICIPAL ORDINANCES WITHIN AREAS OF EXTRATERRITORIAL JURSIDICTION. (a) The governing body of any city may extend by ordinance to all the area under i s extraterritorial jurisdiction the application of city ordinances governing plats and the subdivision of land, construction and maintenance of structures, and the use and development of land.

(b) Any city which extends the application of its ordinance establishing rules and regulations governing any or all of the conditions described in Section 4(a) of this Article shall have the right to institute an action in the district court to enjoin the violation of any provision of such ordinance in such extraterritorial jurisdiction, and the district court shall have the power to grant any or all types of injunctive relief in such cases.

---

*Not passed.

APPENDIX I

UTILITY REFUND CONTRACT RESOLUTION (ABRIDGED)

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the policies herein announced shall govern the participation by the city in the cost of construction and installation of streets, drainage facilities, and utilities in subdivisions hereafter developed in the City of Austin or within five miles of the limits thereof.

1. Electric lines, both inside and outside the city, will be installed in approved subdivisions at the expense of the city if the subdivision lies within the area served by city electricity.

9. Upon the completion of any sewage treatment plant constructed in accordance with city standards to serve an approved subdivision outside the city, and outside any water control and improvement district, and upon the transfer to the city of such plant and the site therefor, the city will assume the maintenance and operation thereof. Upon the annexation of a subdivision served by such a plant, the city will reimburse the subdivider to the extent of 50 percent of the depreciated value of such plant, after depreciating the original cost thereof 5 percent per year from the date of completion of such plant to the date of annexation of the subdivision, such reimbursement to be made in the manner described in paragraph 12 hereof, provided the original cost of such plant has been approved by the city.

10. Where both a water distribution system and a sanitary sewer system are installed in an approved subdivision outside the city, and outside of any water control and improvement district, and where either system is so installed when the other is already in place, upon the annexation of such subdivision, and the transfer to the city of both such systems, the city will reimburse the subdivider to the extent of 90 percent of the depreciated value of the systems so transferred, after depreciating the original cost thereof 3 percent per year from the date of completion of such plant to the date of annexation of the subdivision, such reimbursement to be made in the manner described in paragraph 12 hereof, provided the original cost of such systems has been approved by the city. From the time any such sewer system is connected to a treatment plant operation by the city, the city will assume the maintenance and operation thereof, provided such system has been transferred to the city.

11. Where either a sanitary sewer system or a water distribution system is installed in an approved subdivision outside the city and outside of any water control and improvement district and the other system has not been and is not so installed upon the annexation of such subdivision and the transfer to the city of the system so installed, the city will reimburse the subdivider to the extent of 80 percent of the depreciated value of such system, after depreciating the original cost thereof 3 percent per year from the date of completion thereof until the date of annexation of the subdivision, such reimbursement to be made in the manner described in paragraph 12 hereof, provided the cost of such system has been approved by the city. From the time of connection of any such sewer system to the system of the city and from the time any sanitary sewer system is connected to treatment plant operated by the city, the city will assume the maintenance and operation thereof, provided such system has been transferred to the city.

APPENDIX J

LIMITED PURPOSE ANNEXATION
EXCERPT FROM CITY CHARTER

Section 7. LIMITED PURPOSE ANNEXATION. In addition to the power to annex additional territory for all purposes, the city shall have the power, by ordinance, to fix, alter, and extend the corporate boundary limits of the city for the limited purposes of "Planning and Zoning" and "Sanitation and Health Protection," and to annex for one or both of such limited purposes additional territory lying adjacent to the city, with or without the consent of the property owners or inhabitants of such annexed territory; provided, however, that no such territory which lies farther than five miles from the corporate boundary limits enclosing the territory which is a part of the city for all purposes, as those corporate boundary limits are now or may hereafter be established, shall be annexed for any limited purpose or purposes. Wherever the boundary limits of territory annexed for one or both of such limited purposes are not coterminous with the corporate boundary limits enclosing the territory which is a part of the city for all purposes, such boundary limits of the limited purpose territory shall be known as "Limited Purpose Boundary Limits."

With regard to territory annexed for the limited purpose of "Planning and Zoning," the city shall have the power to control and regulate the use of property and the density of structures, to require compliance with reasonable zoning regulations, to control and regulate the subdivision of property, and to control and regulate the construction of buildings. With regard to territory annexed for the limited purpose of "Sanitation and Health Protection," the city shall have the power to adopt all reasonable regulations pertaining to sanitation and public health and to require compliance with such regulations.

APPENDIX K

HOME RULE POWERS

Article 1175, Subdivision 19, Vernon's Texas Civil Statutes

19. Each city shall have the power to define all nuisances and prohibit the same within the city and outside the city limits for a distance of 5,000 feet; to have power to police all parks or grounds, speedways, or boulevards owned by said city and lying outside of said city; to prohibit the pollution of any stream, drain, or tributaries thereof, which may constitute the source of water supply of any city; and to provide for policing the same as well as to provide for the protection of any water sheds and the policing of same; to inspect dairies, slaughter pens, and slaughter houses inside or outside the limits of the city, from which meat or milk is furnished to the inhabitants of the city.